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## The Solicitors' Journal.

LONDON, MARCH 9, 1878.

### Notes for the Ensuing Week.

March 11.—	Commission Day.—	Maidstone, Bedford, Appleby, Newcastle, Walspool, and Haverfordwest Assizes.
" 12.—	Sitting in Banco at Westminster.	
" 13.—	Commission Day.—	Carlisle Assizes.
" 14.—	" "	Worcester Assizes.
" 14.—	" "	Northampton and Dolgelly Assizes.
" 15.—	" "	Durchester and Cardigan Assizes.
" 16.—	" "	Lancaster Assizes.

### CURRENT TOPICS.

SERJEANTS' INN and Hall were sold about a year ago for £57,100, and the balance of this money, after deducting expenses, appears to have recently found its way into the pockets of the learned members of the defunct Inn. It has been announced that Sir William Erle has already handed over to a charity a considerable part of his share, and that Mr. Justice Denman has presented to University College Hospital the sum of £900, being the whole of his share less expenses. We cannot doubt that other illustrious serjeants are only waiting to find suitable public objects for the bestowal of their shares of the purchase-money paid by Mr. Serjeant Cox; and we trust we shall not be considered presumptuous if we suggest, with very great deference, that there are objects connected with the legal profession which urgently need assistance. If the inclination of the learned and fortunate recipients of the shares is towards the relief of distress in their own branch of the profession, there is the Barristers' Benevolent Association, an efficient and economically managed institution; if their benevolence is wider than the bounds of their own branch, there are the Law Association and the Solicitors' Benevolent Association, both admirable societies for the relief of distress among the solicitors, and there is a similar society for the relief of law clerks. Or if the learned serjeants incline to educational purposes, and think that the education of the bar is sufficiently provided for by the Inns of Court, the Incorporated Law Society, which has charge of the education of solicitors, would learn with great gratitude of the foundation of scholarships in connection with their classes. But we pause in our enumeration of objects, lest we should add to the embarrassment of selection which alone, we are convinced, can have hitherto stopped the generous flow of the learned serjeants' liberality.

AFTER ALL judges are but men (as we believe has been occasionally remarked before); and thirteen or fourteen weeks of continuous sitting are a weariness unto the flesh. So, very soon after the new system came into operation, the learned judges of the Chancery Division took into their consideration the advisability of introducing a short break in the long Hilary Sittings prescribed by the Rules of Court. It was true that order 61 appeared to contemplate continuous sittings, and appointed with particularity the vacations to be observed in the courts of the Supreme Court, among which there was no vacation between the Christmas and Easter vacations. But it appeared to the learned judges that there was nothing in the order to prevent them from "adjourning" their courts—that being, as anyone may see, a wholly

different proceeding from closing them for a vacation. Hence the learned Vice-Chancellors "adjoined" for about a week in the middle of the Hilary Sittings, and this adjournment has been observed in subsequent years, and is doubtless beneficial and necessary. But it would be desirable in future that some provision should be made for hearing pressing interlocutory applications in actions marked for the adjourned judges. Section 51 of the Judicature Act, 1873, provides that, upon the request of the Lord Chancellor, it shall be lawful for any judge of the Court of Appeal who may consent to do so to sit and act as a judge of the High Court, or to perform any other official or ministerial acts for or on behalf of any judge absent from illness or any other cause. Last Saturday, however, the Court of Appeal at Lincoln's-inn had "adjoined" as well as the judges of first instance, and a learned and perplexed counsel, discovering the Master of the Rolls at his post, applied to him to know how he could get an *interim* injunction in an action marked for Vice-Chancellor Malins. Sir George Jessel intimated that, upon a request from the Lord Chancellor, he would hear the application as an *ex officio* judge of the Court of Appeal; and, accordingly, we presume, the applicant hurried off to the Chancellor and got his lordship's request. But the Chancellor might have been out of town; and the question we desire to ask is whether it would not be well in future that, before the learned judges adjourn, some one judge should be requested, once for all, by the Lord Chancellor to sit for the absent judges in any pressing matters which may arise?

WE PRINT in another column Mr. Munton's promised letter on defaulting lawyers, which shows that the doubt we implied as to the meaning of the expression in his letter to Sir H. W. Peek—"not a single page without one or more black marks," or, as it is expressed in his letter to the *Echo*, "without one or more marks of reference"—was well founded. Mr. Munton did not mean that every page of the *Law List* relating to solicitors contains the names of solicitors who have availed themselves of the Bankruptcy Act, but only that every page of his copy of the *Law List* contains these names. He tells us he has inserted in his copy, year by year, the manuscript names of all the solicitors who, since 1861, have taken the benefit of the Act; so that, in fact, Mr. Munton's *Law List* is a record of all the solicitors, dead or living, practising or out of practice, honest but unfortunate, or speculative and dishonest, who have appeared in the bankruptcy columns of the *Gazette* from 1861 to 1878. During that period, he states, "about 350" London and "nearly 450" country solicitors in the whole have failed; but we have no information as to whether these failures occurred in a tolerably regular yearly succession, or whether exceptional periods, such as the collapse of the limited company speculations, produced a sudden crop of failures. And Mr. Munton tells us nothing on the matter to which our question was directed—i.e., the total number of solicitors now actually in practice and whose names appear in the *Law List*, who have failed while in practice. Surely, nothing would have been easier than for Mr. Munton, who must have a mark against the printed names, to give us this information; and we hope we may conclude, from his silence on this matter, that the result of such a statement would be very much less unsatisfactory than the figures he gives. We are rather led to this conclusion from the detailed information he gives of the London solicitors under the letter W. Out of the thirty-one names he mentions as having failed we find only ten in the last *Law List*. But here Sir H. W. Peek, M.P., comes to our assistance, and informs us that, by way of checking Mr. Munton's statements, he has "had the antecedents of 155 London solicitors under the letter D in the present *Law List* taken out (how?); with the result that eleven names (or seven per cent.)" have

"figured in the *Gazette*." Now, if the letter D is in this respect at all a fair representation of the rest of the alphabet, these figures would suggest very serious considerations; but we cannot help thinking that there has either been some mistake, or that the letter D is specially unfortunate. For, by means of the information Mr. Munton has kindly supplied, we are enabled to ascertain the number of London solicitors whose names are included in the *Law List* for 1877, under the letter W who have failed. There are no fewer than 325 solicitors under this letter, and of these, so far as we can make out, only ten have ever failed—i.e., about three per cent.—a result widely different from Sir H. W. Peek's investigation of the letter D. We do not suggest that Mr. Munton's statistics, although not directly applicable to the present state of things in the profession, are not worthy of careful attention. But what we want chiefly to know is the present state of the profession, and upon this point we cannot say that Sir H. W. Peek has yet made out his case.

THE BRIGHTON AQUARIUM COMPANY has once more been brought before a court of law. It will be remembered that the Act, 21 Geo. 3 c. 49, forbids the opening of places of public entertainment on Sunday, and allows penalties to be sued for by a common informer for a breach of the Act. In *Terry v. Brighton Aquarium Company* (L. R. 10 Q. B. 306), it was held that marine fish, accompanied by music and newspapers, and in *Warner v. Brighton Aquarium Company* (L. R. 10 Ex. 291), that marine fish, *per se*, constituted an "entertainment" within the meaning of the statute. So, after much discussion, an Act was passed on the 13th of August, 1875, by which the Crown was empowered to remit the penalties in whole or in part, the common informer notwithstanding. But this latter personage was not disheartened, and a Mr. Rolfe, and a Mr. Girdlestone stepped forward to enforce the penalty "in respect of the Aquarium having been opened on the 15th of August, 1875." Mr. Rolfe recovered judgment first. Mr. Girdlestone, persevering, when met by the defence of "judgment recovered," prayed in aid the "Acts against collusions and fayned actions" (4 Hen. 7, c. 20.) This venerable statute provides that, "if eny persone or persones herefter sue with gode feith eny accion populer [i.e., penal action], and the defendaut in the same accion plede eny maner of recovre of accion populer, in barre of the said accion . . . that thenn the playntyf in eny suche accion taken wyth good feyth, may avarre that the said playntyf was barred in the said accion populer by covyn," and that if the covin be found, the plaintiff shall have judgment. The "covyn" relied upon by Mr. Girdlestone was that Mr. Rolfe's action had been brought at the instance of the defendants against themselves, for the alleged innocent purpose of trying by experiment whether Mr. Cross would remit the penalty in respect of any and what entertainment of which marine fish formed the principal ingredient. The court held that the covin had been found and gave judgment for the plaintiff. "Covin," they say, "is a secret assent determined in the minds of two or more to the prejudice of another." We cannot discover the authority for this definition, but have no doubt of its correctness. Two material points, however, are worth notice. One is, that by the statute of Henry VII., "in every action popular wherein the defendant or defendants shall be lawfully condemned of covin every of the defendants have imprisonment for two years by process of capias and outlagary." The other is that, by the same statute, "no plaintiff be in any wise received to aver any covin in any action popular, where the covin or collusion have been once tried by trial of twelve men." If the proceedings therefore be correct, all the directors of the Brighton Aquarium may possibly be liable to imprisonment, but it appears the "covin" should have been left to a jury.

### THE BANKRUPTCY BILL.

THE Government Bankruptcy Bill recently re-introduced by the Attorney-General is practically a reprint of the measure withdrawn in the House of Lords last year. There is one rather important alteration to which we may hereafter refer, and some slight modifications and additions are made in matters of detail, but the general scheme of procedure remains the same as in the amended Bill of last year. As it seems to be intended that the measure shall be pushed forward this session, it is time for the profession to express a decided opinion upon the merits of the proposal which the Government, after half a year's consideration, has again submitted to Parliament.

That proposal is for the abolition of the existing system of bankruptcy procedure, and the substitution of a new system, the leading features of which may be summarized as follows:—There is to be a uniform method of instituting proceedings in bankruptcy, available alike to debtor and creditor. If the debtor petitions, a provisional order of adjudication will be forthwith made; if a creditor petitions, the provisional order will be made on proof of the petitioning creditor's debt, of the trading (where the debtor is a trader), and of the act of bankruptcy; but in the case of a non-trader debtor, only "if no ground is shown to exist which would render the making of a provisional order inequitable." A trader debtor may, within a specified number of days, show cause why the provisional order should not be revoked on the ground of the insufficiency of proof of the petitioning creditor's debt, or trading, or act of bankruptcy, or any ground "which would render the making of the provisional order inequitable." The administration of the estate will then proceed under the provisional order, the possibility of being adjudicated a bankrupt absolutely, and gazetted, being reserved as an awe-inspiring penalty in case the bankrupt should fail to file a list of his creditors without alleging a sufficient cause for not having done so, or should otherwise fail to conciliate his creditors.

The course of proceedings in the administration of the estate is to be as follows:—First (if the court does not think fit to dispense with it), a preliminary meeting of creditors is to be held in private, at which the creditors are to discuss and investigate the affairs of the debtor, and consider any proposal made to them in reference thereto, the debtor being present to give information and submit to examination. Next, a first general meeting is to be summoned by the court and presided over by the registrar, at which creditors are to prove debts, to which the debtor is to produce a statement of his affairs, and by which a committee of inspection is to be appointed. This meeting may resolve either (1) to investigate further the affairs of the debtor, or (2) that the proceedings in the bankruptcy be stayed, and the estate administered under a deed of arrangement, or (3) that adjudication of bankruptcy be made. The resolutions passed at this meeting must be confirmed by the court.

(1.) If the creditors resolve that the affairs of the debtor shall be further investigated, such investigation will be made under the direction of the committee of inspection, and a second general meeting will then be summoned by the court (see clause 21), to which the committee of inspection, or the trustee or receiver by their direction, will report upon the affairs of the debtor; and the meeting may then, by ordinary resolution, provide either that adjudication of bankruptcy be made, or that the proceedings be stayed, and the estate administered under a deed of arrangement. Or they may, by special resolution, declare that the affairs of the debtor have been sufficiently investigated, and that he be discharged, and the court is then to order his discharge. The resolutions passed at this meeting must also be confirmed by the court. If no resolution is passed the court will absolutely adjudicate the debtor a bankrupt.

(2.) If the creditors resolve that adjudication of bank-

ruptcy be made, or pass no resolution, the court will make an absolute order for bankruptcy against the debtor, and direct the adjudication to be gazetted, and appoint a public sitting of the court for the examination of the bankrupt (clause 22). After the expiration of three months from the passing of his examination the bankrupt may apply to the court to grant him his discharge; but if the application is made before twelve months have elapsed from the date of the first meeting, a majority in number and three-fourths in value of the creditors who have proved must concur; if before eighteen months from the above date a majority in number and in value; if before twenty-four months one-third in number and value, and if before thirty months one-fourth in number and value. After thirty months no creditors need concur in the application for discharge.

(3.) If the creditors resolve upon the deed of arrangement, the court will stay the proceedings for such time as may be necessary to obtain the confirmation of a deed of arrangement. The deed will then be prepared and executed by the debtor, his execution being attested by a practising solicitor; and within three days from execution an attested copy must be filed. Within four days after the filing of the deed the debtor must file a statement of his debts and property, verified by affidavit. The deed must be assented to by a majority in number representing three-fourths in value of the creditors who have proved, and also by the committee of inspection; and within twenty-eight days after execution of the deed by the debtor, he or any creditor may apply to the court to confirm the deed.

Now the first question to be considered is whether it is necessary to sweep away the existing provisions and introduce this novel system of procedure? We have often urged that no such necessity exists. The Act of 1869, though marred by defective provisions and brought into discredit by defectively worked provisions, is nevertheless right in principle, and in our opinion would be capable of being amended so as to work satisfactorily. There should be more and earlier information given to creditors as to the affairs of the debtor; the control of the debtor over liquidation proceedings should be curbed, the abuse of proxies restrained, and the provisions aimed at costs, trustees' remuneration, and trustees' accounts made more general and effective. Will any one venture to say that this could not be accomplished without incurring the expense of the litigation which must inevitably be produced by the process of interpreting provisions establishing a new system of procedure? Commercial men, at all events, think that it could, for the Bankruptcy Bill introduced by Mr. Sampson Lloyd and approved by the Chambers of Commerce proceeds on this footing. But admitting for a moment that a new system may be desirable, we say that the system introduced by the Government Bill is defective in two most important points. While it provides that, within four days of the filing of a deed of arrangement, the debtor shall file a list of his debts and liabilities, and of his creditors and their securities, no such provision is made on the filing of a bankruptcy petition. Notwithstanding the device of a preliminary meeting, the first meeting can never be thoroughly efficient unless, before it is held, the creditors are in possession of these lists, and also of a statement of the debtor's affairs. As to proxies, again, the bill is singularly feeble. Clause 133 empowers the court "if it thinks fit," "where it appears to the satisfaction of the court" that solicitation has been used by or on behalf of a trustee, to order that no remuneration be allowed to the person by or on whose behalf such solicitation has been exercised. The rules to be made under the Bill, may, perhaps, strengthen it on this point; but, as it stands, we see no reason to suppose that the provision will remedy in the smallest degree that abuse of proxies which constitutes one great evil of the present system.

The provisions relating to the re-establishment of the system of deeds of arrangement we shall discuss hereafter.

## THE SINGLE JUDGE SYSTEM.

### II.

We traced last week, as briefly as we could, the story of our entanglement in a maze of makeshifts, which seems to be, by no means imperceptibly, leading us on to a complete system of trial by single judges; it remains to consider what means are still open to us, whether for the purpose of retracing our steps to a more satisfactory system, or for carrying out this to its logical consequences, and completing it with some attempt at symmetry and consistency. Whichever of these courses we may adopt, we must, at all events, and in the first place, get rid of that absurd attempt at an illogical compromise—the divisional court of two judges; than which it is hardly possible to suggest a more ingenious device, if one were wanted, for securing the minimum of return for the maximum of expenditure, both in time and money. A court of two judges is just so much worse than one of them would be alone, as it consumes somewhat longer time in argument; if the judges be very unequal, the stronger—not always synonymous with the better—will completely control the court; if not very unequal the united power will not exceed that of the more timid of them. Moreover, a court should always be certain of being able to act by a majority; nothing is more exasperating to the suitors or damaging to the character of the court than the affirmation of the judgment appealed from, not because it is right, but because the court is equally divided, and, therefore, incapable of expressing an opinion on the point; and the greater the probability of this occurring, the less satisfactory is the composition of the court. But a court of two judges raises this probability to a maximum; indeed, in such a court, an equal division—the only one feasible—must frequently occur unless one of the judges is content ordinarily to be a mere echo of the other; at least, unless they arrange—as we have heard it whispered has been sometimes done—that one should give way in certain classes of cases and the other in certain others, which very effectually, if not quite legitimately, gets rid of the dual character of the court altogether.

The change at first effected by the pressure of business, and stereotyped by the Act of 1873, which reduced the number of judges *in banco* from four to three, was a movement from worse to better; but we could not have believed, had we not seen the precedent seriously urged in the columns of the leading journal, that any one could have thence deduced an argument for the further reduction from three to two. But, in truth, divisional courts, of what number soever of judges composed, are a mischievous exorcism in a "single judge system," merely interposing a certain amount of unnecessary delay in getting at the Court of Appeal, which must be, in every such system, as well the normal goal of every important case, as the sole controlling power of the whole system. And for a system so arranged there is a good deal to be said—a considerable staff of judges to sift the cases, and superintend the administrative part of the work, and a select body, not only to settle all questionable points of law, but also to determine every case of sufficient importance (pecuniarily) to bear a second argument.

The principal objection to this system is its expense. If the Court of Appeal be not tolerably numerous, so as to sit in several divisions at the same time, great delays will be inevitable; and in any case the necessity for rehearing so large a proportion of the causes tried, which is inherent in this system, adds enormously to the total cost of litigation. But such a system, to be efficient, should be thorough; if we are to have single judges, controlled by frequent appeals, all the machinery of divisions, and the nomenclature of a bygone arrangement, is merely cumbrous; and we ought instead to require all actions to be entered in a single list, and parcelled out to the judges of first instance according to a rota, as actions are in



Scotland assigned to the Lord Ordinary in rotation, or bills of costs in chancery are sent to the proper taxing-master. Some modification of this principle would have to be made to meet the case of circuits; but this difficulty would probably be sufficiently provided for by a general order transferring all actions tried in the country, *ipso facto*, to the judges who tried them, and empowering the senior registrar, or some other such officer, to adjust the balance by a corresponding transfer from the judges thus overweighed to others who had either remained in town or happened to meet with light lists.

A more formidable difficulty would arise in the cases requiring further investigation before they are finally disposed of, and it might at first sight seem requisite to supply every judge with a complete staff of clerks for the purpose of carrying out the necessary inquiries; but this may be got over in either of two ways. The most obvious way would be to have a common set of chief clerks, &c., to whom all inquiries were referred, irrespective of the judge from whom they came; in other words, to return to the old system of masters in chancery, abolished in 1852, and give up the attempt to retain the personal supervision of the judge, even in the very limited fashion which has resulted from the reforms of that year. A more effectual plan would be to transfer all cases requiring accounts or inquiries to a certain limited number of the judges, who should be supplied with a proper staff for the purpose, and whose primary duty should be to take up and conduct to the end all cases which could not be disposed of without such preliminary investigation. As in practice such cases would be very few, except in—what are now called—the Chancery and Admiralty Divisions, it could probably be found sufficient to provide five, or at the most six, of the judges with requisite machinery for chambers; and as the work in chambers would be at once the most irksome and the most tedious part of the work, it might advantageously be compensated for by exempting the “chamber judges” from the duty of going circuit.

But, at the best, any such system will remain open to grave objections. 1st. The proverbial uncertainty of the law—which means really not so much that the principles of law admit of any doubt as that they are somewhat capriciously applied to differing, but analogous, states of fact—will be increased by the multiplication of independent tribunals, to an extent to which the increased activity of the Court of Appeal will form, at least from the suitor's point of view, a very insufficient remedy. 2nd. The average time occupied by, and money expended in, all actions of importance will be considerably increased; for the first hearing will, in most of such cases, be simply waste, except in so far as it tends to instruct counsel in their arguments, and thus secure a more efficient argument when the real contest comes on. 3rd. It will necessitate a kind of sub-division of labour among the judges which will tend to impair their general efficiency; and, 4th, it will dangerously exaggerate the risk, already by no means contemptible, of occasional failure of justice through the idiosyncrasy of a crochety judge.

From all these, and other similar, evils we should be rescued, at no disadvantage of at all corresponding character that we can see, by a simple return to the old three judge system which prevailed down to 1876, somewhat simplified, and slightly enlarged. We have always hitherto assumed that the progress towards the single judge system has been too great to be retraced; but is this really so? Is it too late to suggest that every issue of law ought to be argued before a court of three judges, and that every issue of fact, not referred to the arbitration of a jury, should be tried by a similar court; that for this purpose there should be an adequate number of courts (say seven), sitting continuously, or with only such reasonable intervals as occasion may require; that such courts should not, however, be always

constituted of the same judges, but should vary in their composition according to a system of permutation which might easily be devised; that every action should be assigned to some one of these courts, and should remain attached to it notwithstanding any variation in the personnel of the judges comprising it; that such of the cases as involved jury trials should be taken on certain days only (so arranged that there should always be at least one court so engaged), on which days all three judges then comprising the court should sit separately; that on the same or certain other days (similarly arranged) such judges should also sit (separately) for the purpose of hearing interlocutory applications of various kinds; and it should be clearly defined that no order should be made on any such application for any purpose not temporary in its nature; and that on all other days the three judges should sit together for the hearing of all points of pleading, demurrers, &c., and the trial of all actions not ordered to be tried by jury.

Whatever is done in this matter—whether we are to go forward or backward—it ought, we think, to be enacted that no civil action should be tried by jury as of right. There are, doubtless, some cases of very conflicting evidence, where the knot must be cut rather than untied, and a jury is found a useful implement for that purpose; and there may possibly be some other exceptional cases—some classes of libel cases for instance—where their aid is desirable for the assessment of unliquidated damages; but in the vast majority of actions, a jury is simply an expensive nuisance, greatly aggravating the length of a case without in the least assisting in its determination. If they acquiesce, as they ordinarily do, in the summing-up of the judge, the case would have been better, and much sooner, decided in the same way if they had been absent; if they refuse to be guided by him they are probably wrong, not unfrequently led away upon some point of mere prejudice; and, moreover, the verdict is all but certain to be set aside, unless the judge refuses, though invited, to express his dissatisfaction. The saving of judicial time which would be effected by withdrawing all these cases from juries altogether would of itself more than provide the necessary force for carrying out the system suggested above; at any rate, if we take into account the fact that, under that system, the present absurd and cumbrous machinery of “new trials” would all but disappear. The case once heard and decided would, if the judgment were appealed from, be at once heard and decided again; and a successful appeal could be given effect to by a reversal of the judgment, not as now, by sending the parties back to renew the farce of setting before a jury a mass of evidence which they must deal with in a prescribed manner, under the penalty of having their verdict in turn set aside, and the dreary round begun again.

Mr. Justice Mellor has given a donation of £50 to the United Law Clerks' Society, through its chairman, Mr. H. W. Frayling.

Mr. Norwood was prevented from moving the second reading of his County Courts Jurisdiction Bill in the House of Commons on Tuesday last by a count out.

The official trustees of charitable funds state, in their account made up to the end of 1877, that at that date the sum of £7,686,816 in Consols and other Government Stocks belonging to various charities, besides other securities, had been transferred to their custody by charity trustees.

Lord Coleridge announced on Thursday, in the Common Pleas Division, that it was proposed during the circuits, to sit once a week, or more often if necessary, *in Banco*, to dispose merely of the current business of the courts, none of the cases in the paper being taken. The first sitting *in Banco* would be on Tuesday next, and the other sittings on the Mondays.



## Recent Decisions.

## AGREEMENT CONTAINING PROVISION FOR PREPARATION OF FORMAL CONTRACT.

(Bonnewell v. Jenkins, Fry, J., and C.A., 26 W. R. 294).

The court sowed the seeds of much perplexity when, instead of holding that a reference in an instrument to the future preparation of a formal contract negatives the existence of any present contract, they introduced a distinction between an acceptance of an offer containing a mere reference to the preparation of a formal contract, and an acceptance conditional on the preparation of such a contract. But the present was plainly a case of mere reference to a future formal contract. The auctioneers employed by the defendant to dispose of the property in question, wrote in reply to an offer, "We are instructed to accept your offer of £800 for these premises, and have asked Mr. Jenkins [defendant's] solicitor to prepare a contract;" and both Mr. Justice Fry and the Court of Appeal held that these words constituted a binding contract. The value of the case lies in the observations of the Court of Appeal. They said that "there must be something clear on the face of [the agreement] to show that it was not to be binding if the intention was that the future formal contract was to be the binding contract." That is to say, where the meaning of the words used with reference to the future contract is at all ambiguous there will be a present contract; hence we venture to think we were right in questioning (*ante*, p. 260) the opinion of the Master of the Rolls in *Winn v. Bull*, that if the acceptance there had been merely "subject to the preparation of a formal contract," it would not have been binding.

## RAISING DEFENCE OF STATUTE OF LIMITATIONS BY DEMURRER.

(Dawkins v. Lord Penrhyn, C.A., 26 W. R. 6, L. R. 6 Ch. D. 318.)

In this case the Court of Appeal held that where, by the operation of the Statute of Limitations, the plaintiff's title is displaced, that objection, appearing in his statement of claim, may be taken by demurrer. The peculiar effect of the 34th section of the statute 3 & 4 Will. 4, c. 37, in extinguishing the title, and conferring an adverse title, is well known, and is very clearly stated by Mr. Dart (V. & P. c. 8, s. 6), and there is, undoubtedly, a marked distinction in principle, with reference to the question of demurring, between the cases where a plaintiff, in purporting to state his own right, shows a subsisting title in somebody else, and those claims which are merely obnoxious to the objection of the statute if the defendant chooses to take it. In *Wakelee v. Davis* (25 W. R. 60), in which a demurrer on the ground of the statute was overruled, the Lord Chief Justice's judgment went upon this consideration of principle. "The cause of action," he says, "remains, although the remedy may be suspended. The defendant may not plead the statute." Lush, J., is only reported to have said, "By means of a demurrer the issue whether the statute applies or not is not raised"; no doubt with reference to the language of the rule (ord. 19, r. 18), that all grounds of defence must be alleged in pleading, which, "if not raised on the pleadings, would be likely to take the opposite party by surprise, or would raise new issues of fact not arising out of the pleadings, as, for instance, fraud, or that any claim has been barred by the Statute of Limitations, or has been released." Although the rule does not in terms make the distinction drawn in *Dawkins v. Lord Penrhyn*, it is reasonable that a plaintiff who states facts showing a title against himself by adverse possession in the defendant ought not to be allowed to say, when the objection is taken, that he is taken by surprise, or that a new issue of fact not arising out of the pleadings is being set up.

## General Correspondence.

\* \* To CORRESPONDENTS.—F. T. K.—Under consideration.

## "DEFAULTING LAWYERS."

[To the Editor of the Solicitors' Journal.]

Sir,—I seldom omit to read the SOLICITORS' JOURNAL, but pressing engagements caused me overlook the February numbers. I was thus unaware till late last week that directly and indirectly I had been the subject of considerable comment.

I am not in the least surprised at your reserve as to the accuracy of the statements attributed to me; indeed, I will admit that, if the like information had, for the first time, been anonymously conveyed to myself, I should have treated it pretty much as you have done. But facts are facts.

You rightly conjecture that the letter to which I subscribed my name in the columns of a daily contemporary was a more formal repetition of a private note I had written to Sir Henry Peek. The familiar tone of the latter shows that its publication was not contemplated by me, though I cannot say that Sir Henry was to blame in quoting it anonymously, he having no idea that I should myself accidentally establish its identity. I suppose from his acquaintance with my connexions he felt assured that I was unlikely to pledge myself to anything I could not substantially prove, and therefore used the communication without further thought.

Before dealing with your suggestions, let us see what I have actually asserted; for, dismissing the colloquial language of the note to Sir Henry Peek, and coming to the more parliamentary form of my letter expressly intended for publication, it will be seen that I am responsible for the following statements:—

1. "That since the 1861 Act came into operation the number of bankrupt solicitors exceeds the number of solicitor pages of the *Law List*." I say this is a fact. There have been nearly 800 failures during that period.

2. "That such assertion is based upon my personal knowledge." Some time after 1862 I commenced (and have since regularly continued) to make a mark against the names of all solicitors figuring in the *Gazette* as unable to pay their debts—the work of a moment each week, but a vast accumulation in sixteen years.

3. "That I once brought the scandal before the Incorporated Law Society in a speech reported at the time in the principal London papers." Among other reports let me refer you to your own journal, vol. 18, page 774.

4. "That the nature of the solicitor's avocation being such as to exclude him from ordinary commercial loss, the position, I considered, was extremely grave." I contend that a very small percentage of the 800 failures above mentioned arose from legitimate professional losses. I do not wish to sneer at indigence, or real misfortune, and if I have used a hard word too generally, I frankly apologise to the exceptional few.

And now to prove my assertions. In round figures during the period aforesaid the London failures have been about 350, and the country nearly 450. To enable you to judge whether my aggregate figures are likely to be correct I will comply with your request by giving (as a confidential test) the names of the bankrupt solicitors comprised in the last ten pages of the *Law List*, or suppose we take what one may call the concluding letter of the alphabet only—I mean "W," which occupies something like ten consecutive pages of itself. No less than thirty-one solicitors, whose surname commences with that letter, have, in London alone, become bankrupt since 1861 in one or other of the modes prescribed or permitted by the Acts. For your convenience I will quote the *Gazette* announcements from the volumes of your own journal. It will give me some trouble to look out the pages, but I shall not mind this, for I am well

assured that your paper has the best interest and honour of the profession at heart, and I know you will do me justice for coming to the front on your justifiable challenge.

But a word of explanation is necessary. All the bankrupt names are not necessarily found in each current *Law List*, for certain people contrive to keep themselves out of the official print. This omission I always supply, in my copy, by inserting the manuscript name of the bankrupt in its proper lexicographical position, and many a time this black book has opened my eyes at a critical moment in business matters. My point is that some eight hundred solicitors have availed themselves of the modern bankruptcy legislation—whether taking out certificates before January or not—and that commercial men, who study the failures week by week, are thereby enabled to make, and do make, slighting statements about our profession as a body; or, to use my words elsewhere, “the innocent suffer with the guilty.”

I am heartily glad to see the *SOLICITORS' JOURNAL* take the subject up with such earnestness, and at a later period I will give you privately some much more remarkable statistics—namely, those gentry who have not only failed once, but twice, and thrice.

City, March 4,

FRANCIS K. MUNTON.

[To the Editor of the *Solicitors' Journal*.]

Sir,—Referring to my letter on page 280 of your journal, and the editor's remarks on it at pages 298 and 326, I beg to inform you that, with the view of checking Mr. Munton's statements, I have had the antecedents of the 155 London solicitors under the letter D in the present *Law List* taken out, with the result that eleven names (or seven per cent.) are before me as having, some once, some twice, more or less discredibly figured in the *Gazette*—proving conclusively to my mind that the ventilation of the subject will be neither time nor trouble thrown away.

In connection with this matter, it appears to me strange that so large a proportion of such bankrupts should be found in *Gazettes* published during the long vacation. And I cannot understand the intermittent appearance of some of the names in the *Law List*. I am told that all respectable solicitors are careful to take out their certificates before the end of December, but that for reasons well known to professional men, and which, I think, should not be so much of a secret to the general public, a different class is purposely not so punctual.

HENRY W. PEEK.

House of Commons, March 6.

#### JUDICIAL EMPLOYMENT AND DOUBTS.

[To the Editor of the *Solicitors' Journal*.]

Sir,—It is said there is a block of business in the Supreme Court of Judicature. May we not presume that it will continue if the time of two of the learned judges is taken up with such cases as the following:—*Barnes v. Barnes*. February 27, 1878. Motion for a prohibition to the Mayor's Court to restrain proceedings in an action on the ground that there was not any cause of action accruing within the city.

Cause of action entered “on account stated—letter of application written in the city to the defendant out of the city, dated December 23, 1877, for payment of £10 9s. 4d.; reply written out of the city and received in the city.”—“In reply to yours of the 23rd for payment of the sum of £10 10s. 4d., I am sorry it is utterly impossible for me to do so at present.” Judgment—“The amount does not tally; but beyond that, even if it had tallied in amount, it appears to me most doubtful that the mind of the writer who began a letter thus—‘In reply to yours of the 23rd inst. for payment of £10 10s. 4d. due to the above estate’ was directed to it

—it seems to me he was answering that letter without directing his mind at all to the question of whether upon an investigation the sum due might turn out to be £10 9s. 4d., £10 10s. 4d., or any greater or less amount.”

It will be seen that the admission was a shilling more than asked.

Prohibition to issue.

EDWARD LEE.

1, Gresham-buildings, E.C., March 6.

#### FEES FOR UNPERFORMED WORK.

[To the Editor of the *Solicitors' Journal*.]

Sir,—A few days ago, in the Queen's Bench Divisional Court, we had instructed an able junior to oppose a notice of motion where it was essential he should be acquainted with a variety of dates and facts. A few moments before the case was called on he handed his brief to a very junior barrister who, before he could read it, had to oppose the statement of dates and facts made by an experienced Queen's Counsel on the other side. Need we say that the result was against our client, although even the Queen's Counsel on the other side only just opened his case and ran away to do ditto somewhere else.

Now, although the result is a loss to our client, counsel will expect to have his fees for his non-attendance, notwithstanding our great loss and injury.

Quite recently, in a taxation of costs, we were charged in a case at Westminster Hall with a brief to a leader on one of the circuits, who was absent on circuit the whole time, and who did nothing more than receive his fees, although in the bill of costs a consultation was charged for which it was impossible could have been had except by telephone, and the taxing-master allowed it. If solicitors were to act so, what would the judges say?

ALSOP & CO.

23, Great Marlborough-st., London, W.

#### SCHOLARSHIPS AND CERTIFICATES OF MERIT.

[To the Editor of the *Solicitors' Journal*.]

Sir,—January and February are fertile months in examinations, and since the beginning of this year several lists of successful candidates at the examinations for both branches of the profession have been published, and honours have been awarded at the Law Institution, and scholarships, from two hundred guineas downwards, to students at the bar.

I would ask whether scholarships could not be established to be given at the preliminary, intermediate, and final examinations at the Law Institution?

The prospect of such a reward would induce students to give more time to studying, and to incur more expense in preparing themselves for their examinations, so more thoroughly fitting themselves for their future profession.

London, March 6.

V.

#### A HINT TO MR. FOLLETT.

[To the Editor of the *Solicitors' Journal*.]

Sir,—The appointment of Mr. C. J. Follett as solicitor to the Customs cannot be otherwise than gratifying to our branch of the profession, especially so soon after his able paper on the subject at Bristol in October last. Allow me to express a hope that he will not accept what is sure to be offered to him, a special call to the bar by one of the Inns of Court. I am sorry that in two or three instances of late years the appointees of public appointments, who were solicitors, have availed themselves of the offer. It leads the public to believe that it is necessary that these appointments should be held by barristers only. For my part I would far rather rank among the heads of our branch of the profession than be at the tail of the bar.

March 7.

SOLICITOR.

## Cases of the Week.

**COMPANY—POWER TO COMPROMISE DISPUTED CLAIMS—ULTRA VIRES—CANCELLATION OF SHARES—RIGHTS OF CREDITORS—WINDING-UP.**—In a case of *In re The Norwich Provident Insurance Society*, heard by the Court of Appeal on the 27th of February, several questions of importance with regard to joint stock companies were raised, and one point was decided apparently for the first time. The company was formed in 1860, and was registered under the Industrial and Provident Societies Acts, and by the deed of settlement the objects and business of the company were declared to be to grant insurances against the contingency of sickness, ill-health, advanced age, or the occurrence of other personal infirmity, disability, incapacity, or injury; on the duration of health or strength, or of mental or bodily capacity; on lives or survivorships generally; to grant endowments by way of annuity; and "generally to make and effect insurances against all and every kind of risk, special or general, which may be effected according to law, and which may at any time hereafter be determined upon by a general meeting." The company was afterwards registered under the Companies Act, 1862. In 1871 the company, by a general meeting, determined to undertake the business of fire insurance, which they had not previously carried on, and to add to the capital by the creation of new shares, called B. shares, specially appropriated to the fire business, which was to be carried on as a distinct department. In 1873 the company were advised by counsel that the carrying on of the fire business was *ultra vires*, and one of the B. shareholders applied to the court to have his name removed from the register on the ground that the issue of the B. shares was *ultra vires*, and his application was successful. Thereupon it was resolved to form a new company, called The Norwich Provident Fire Insurance Society (Limited), to which the assets and liabilities of the fire business were to be transferred, and to cancel the B. shares. This arrangement was carried out, and the new company was registered in September, 1873. The assets and liabilities of the fire business were transferred to it; the B. shares of the old company were cancelled, and most of the B. shareholders took shares in the new company to an amount equivalent to that of the B. shares which they held. In 1874 the old company was ordered to be wound up, and it was sought to place the B. shareholders upon the list of contributories. It was contended on their behalf that the original undertaking of the fire business and the issue of the B. shares were not authorized by the deed of settlement, and were *ultra vires*, and that consequently the B. shares never had any legal existence; or that, if they had, the cancellation and the formation of the new company amounted to a *bona fide* compromise of a dispute between the company and the B. shareholders, which it was within the legal power of the company to effect, without any special power in the deed of settlement, and that the result of the cancellation of the shares was to relieve the B. shareholders from all liability *ab initio*. The court (Jessel, M.R., and James and Bagallay, L.J.J.) held that a corporation, or quasi corporation, has by the general law the same power of compromising claims made against it as an individual has. Such a power was essential to the very existence of a corporation, or quasi corporation, and, if it had not that power, such a body could never avoid litigation, but must in all cases of disputed claims act only under the order of a court. And it was clear that the arrangement made in this case, which resulted in the cancellation of the B. shares, was a *bona fide* compromise of a dispute. The company and the B. shareholders both adopted the view of their legal advisers that the original arrangement for carrying on the fire business was *ultra vires*, and entered *bona fide* into a new arrangement for carrying out their original intention in another way. The court, however, were clearly of opinion, upon the construction of the deed of settlement, that the original arrangement was not *ultra vires*, but that, under the words of the deed of settlement which we have placed in inverted commas, the company were entitled to carry on the fire business and to create the B. shares. What, then, was the legal effect of the compromise and the cancellation of the B. shares? It was a binding arrangement as between the company on the one hand and the B. shareholders on the other, but it could not affect the right of any persons who had become creditors of

the partnership, or quasi partnership, which had been validly formed, and had carried on business for some time. When the B. shares were cancelled, and the names of their holders removed from the company's register, those shareholders were relieved from any liabilities afterwards incurred by the company, but they could not be released from any liabilities contracted in the period during which they were shareholders. The case was not like those in which a contract to take shares had been void in its inception or voidable by reason of fraud. In the case of a void contract the alleged shareholder could escape from liability to creditors altogether, and in the case of a voidable contract he could do so if he came in time. But in such a case as the present the company could not by the compromise destroy a valid contract previously made with a creditor. Consequently the B. shareholders must be placed on the list of contributories, but only for the purpose of satisfying liabilities contracted by the company while they were on the register.

**LIQUIDATION—REGISTRATION OF RESOLUTIONS—DEBTOR HAVING NO ASSETS—BANKRUPTCY ACT, 1869, s. 125, SUBSECTION 4—BANKRUPTCY RULES, 1870, r. 301.**—There have been conflicting decisions upon the question whether a debtor who has practically no assets is entitled to petition the Court of Bankruptcy merely for the purpose of getting a discharge from his liabilities. The question came before the Court of Appeal on the 25th of February in a case of *Ex parte Aaronson*. Resolutions in favour of a liquidation by arrangement had been passed by the proper majority of the creditors, but no discharge had been granted to the debtor. The registration of the resolutions was opposed by a dissentient creditor, and the registrar refused to register them, on the ground that the debtor's statement of affairs produced to the meeting of the creditors did not show any assets available for distribution. The Court of Appeal (James, Bagallay, and Thesiger, L.J.J.) affirmed this decision. They held that, notwithstanding the construction which the court in *Ex parte Walter* (24 W. R. 834, L. R. 2 Ch. D. 326) put upon rule 301, viz., that the passing of a liquidation resolution is to be taken as conclusive evidence, upon the application to register the resolution, that the debtor has complied with the provisions of the statute with regard to the statement of his affairs, the principle of the decision in *Ex parte Russell*, 23 W. R. 817, L. R. 10 Ch. 255, that resolutions for liquidation, when there were practically no assets available for distribution, could not have been passed *bona fide* and ought not to be registered, remained unimpaired. The procedure of the Court of Bankruptcy must not be made use of for a merely idle purpose.

In another similar case of *Ex parte Martin*, heard the same day, the court affirmed the refusal of the registrar to register liquidation resolutions, though no creditor opposed.

**BANKRUPTCY—PENDING PROCEEDINGS—SOLICITOR'S COSTS—BANKRUPTCY RULES, 1870, r. 292.**—On the 23rd of February, the Court of Appeal affirmed the decision of the Chief Judge in Bankruptcy in *Ex parte Hopper* (26 W. R. 171, commented on *ante*, p. 334). The debtor filed a liquidation petition, and his creditors resolved to accept a composition of 15s. in the pound, payable in instalments, secured by the promissory-notes of the debtor and his mother. The first instalment became due on the 30th of June, 1877, but was not met. Immediately before it became due the debtor's solicitor obtained leave from the court, under the 6th clause of section 126 of the Bankruptcy Act, 1869, to summon a meeting of the creditors for the purpose of varying the provisions of the composition. When this leave was given an order was also made re-appointing the receiver, who had been appointed originally on the filing of the petition. Meetings of the creditors were held, and resolutions were passed accepting a composition of 3s. in the pound (in lieu of the 15s.), payable in three instalments, with security for the second and third instalments. The registrar refused to register these resolutions, and his decision was affirmed by the judge. A creditor then presented a petition for adjudication, and on the 25th of July, 1877, the debtor was adjudicated a bankrupt. The debtor's solicitor applied to the court in the bankruptcy



to allow his taxed costs, amounting to £33 10s. 6d., of the abortive proceedings to reduce the amount of the composition to be paid out of the bankrupt's estate. The county court judge refused the application, and the Chief Judge affirmed the refusal, on the grounds that the proceedings in question were not "pending" within the meaning of rule 292, and that, if they were, the court had a discretion as to allowing the costs, which discretion had been properly exercised. The Court of Appeal (James, Baggallay, and Thesiger, L.JJ.), affirmed this decision on the same grounds.

**CLERGYMAN—MORTGAGE OF PEW RENTS—VALIDITY—13 ELIZ. C. 20.**—In a case of *Ex parte Arrowsmith*, heard by the Court of Appeal, on the 28th of February, the court (James, Baggallay, and Thesiger, L.JJ.), decided that an assignment by the vicar of a district church of the pew rents arising during his incumbency, by way of mortgage to secure an advance to him, is void under 13 Eliz. c. 20, which, "that the livings appointed for ecclesiastical ministers may not by corrupt and indirect dealings be transferred to other uses," enacts (*inter alia*) that "all chargings of such benefices with cure hereafter with any pension, or with any profit out of the same to be yielded or taken, hereafter to be made, other than rents to be reserved upon leases hereafter to be made according to the meaning of this Act, shall be utterly void." It was contended that this Act applied only to a legal freehold interest vested in the parson, and not to a mere equitable interest in the surplus of the pew rents, after payment of expenses, pew rents being a creation of modern legislation, and the right to receive and sue for them being vested in the churchwardens by statute. The court, however, held that the Act applied. We understand that the mortgage in this case was taken on the advice of an eminent ecclesiastical lawyer, who was of opinion that a valid legal charge could be created.

**PRACTICE—ABSENCE OF JUDGE—POWER OF JUDGE OF COURT OF APPEAL TO GRANT, ON REQUEST OF LORD CHANCELLOR, INJUNCTION FOR ABSENT JUDGE—JUDICATURE ACT, 1873, s. 51.**—In an action in the Chancery Division of *Chapman v. Real Property Trust (Limited)*, assigned to Vice-Chancellor Malins, an application was made *ex parte* to the Master of the Rolls on the 2nd inst. for an *interim* injunction. Vice-Chancellor Malins was absent from his court for a holiday, and the Appeal Court was also not sitting. Eventually the Master of the Rolls, after referring to section 51 of the Judicature Act, 1873, said that he could, after a request from the Lord Chancellor, and as a judge of the Appeal Court, make an order under that section for any judge of first instance who was absent "from illness, or any other cause." The Lord Chancellor should therefore be communicated with, and the application might then be renewed before him.

**PRACTICE—NOTES OF OFFICIAL REFEREE—MODE OF OBTAINING, ON HEARING OF OBJECTION TO HIS REPORT.**—In a case of *Pimpton v. Martin*, application was made to the Master of the Rolls on the 7th inst., for directions as to how the official referee's notes of the hearing before him could be obtained for the use of the parties prior to a summons coming on for the hearing of objections to his report. The Master of the Rolls said he had no jurisdiction to direct the official referee to furnish his notes to the parties or to allow them to take copies thereof. All that he could do was to request the official referee to send him his book containing the notes, prior to the summons, when he would read them out and do the best he could for the parties. The practice as to these notes was very much as at common law in reference to the judge's notes at a trial. They were taken, not for the benefit of the parties, who had those of their counsel or of a shorthand writer to depend upon, but for the judge's own convenience. The practice at common law, so far as he remembered, was for the junior judge to read out the notes of the judge who had tried the case, and the Master of the Rolls said that was the practice he had adopted.

**ILLEGAL CONTRACT—STIFLING A PROSECUTION FOR FELONY—CONTRACT OF SURETYSHIP—CONCERNALMENT OF MATERIAL FACTS.**—In a case of *The London and Provincial Marine Insurance Company v. Davies*, decided by Fry, J., on the 2nd inst., the action was brought to recover a sum of £2,000, which had been deposited in a bank in joint names, in order to provide for the defalcations of a person who had been the manager of a branch office of the company. In April, 1876, the company discovered that he had been receiving premiums for them for which he had not accounted. It was believed that he was liable to a criminal prosecution, and the police were instructed to watch him. Negotiations were entered into between the company, through one of their directors, and some friends of the manager, which ultimately resulted in a written agreement which was concluded on the 18th April, 1876. Two meetings took place on that day between the solicitor of the company and the solicitor of the manager, at both of which the terms of the arrangement were discussed, they being finally settled at the second meeting. Between the first and the second meetings the company's solicitor obtained the opinion of counsel that the manager had not been guilty of any criminal offence, and he, therefore, gave the police instructions not to arrest him. These facts, however, were not communicated to the manager's solicitor before the agreement was concluded. The agreement provided that the manager should forthwith render an account, and should indemnify the company against loss; that £2,000 should be deposited in a bank in the joint names of three trustees, two of whom were named by the company, and the third, Davies, by the manager. The £2,000 was to be applied in payment to the company of what should be found due from the manager, and the balance (if any), was to be paid to Davies. Power was reserved to the company to take legal proceedings for an account. The money was provided partly by Davies himself, and partly by other friends of the manager, and was deposited in the three joint names. An account was taken, and more than £2,000 was found to be due to the company. Davies then refused to concur in transferring the £2,000 to the company, and the action was brought to compel his concurrence. His defence was that the agreement was made for the purpose of stifling a criminal prosecution, and that it was therefore void as against public policy. It was also said that the agreement was void, as having been obtained by undue pressure. At the trial, Fry, J., was of opinion that he could not satisfactorily deal with the matter in the absence of active proceedings to impeach the agreement, and he allowed the trial to stand over, to enable Davies to institute such proceedings. Davies then commenced a cross-action to set aside the agreement, and to compel repayment to him of the £2,000. The two actions came on for trial together on the 2nd inst. Fry, J., held that the agreement was void, on the ground that the company ought to have disclosed to the persons who were acting on behalf of the manager the information which they had acquired since the commencement of the negotiations, that there was not probable ground for a criminal prosecution, and the fact that they had abandoned their intention to prosecute. These were material facts of which the one side had knowledge, and the other had not, and they ought to have been disclosed. The persons acting for the manager were acting under a false impression, and the company's agents knew that they were so acting. His lordship was also disposed to think that the agreement was void upon the other two grounds taken by the defendant. But his lordship did not think that the illegality was of such a nature as to prevent the court from interfering in favour of Davies, and judgment was accordingly given for him in his action.

**ACQUIESCENCE—LAPSE OF TIME—ACTION OF DECEIT—INJUNCTION IN AID OF LEGAL RIGHT—STATUTE OF LIMITATIONS.**—In a case of *Fulwood v. Fulwood*, decided by Fry, J., on the 5th inst., the action was brought to restrain the defendants from representing, as it was alleged they had done, that the business which they carried on in the manufacture and sale of a substance called "Annatto," was the same business as that which the plaintiff carried on in the manufacture and sale of a similar substance called by the same name. The action was commenced in November, 1876. By their statement of defence the defendants alleged that the plaintiff had known,

for a period of at least between two and three years, all the material facts upon which he relied. And the defendants submitted that after such a lapse of time, the action could not be maintained. Fry, J., said that the action was an action for deceit, and the injunction was claimed in aid of a legal right. In such a case the court would have no discretion whether it should or should not grant the injunction, but would be bound to grant it if the legal right was proved. Some equitable defences could, no doubt, be raised, but mere lapse of time would not be a bar to the action for an injunction, unless it would be a bar to the legal right, i.e., unless the time which had elapsed exceeded the period fixed by the Statute of Limitations. The action could, therefore, be maintained.

### Appointments, Etc.

Mr. JOHN BATH ALLANSON, solicitor, of Carnarvon, Llangefni, and Bethesda, has been appointed by the High Sheriff of Carnarvonshire (Mr. George William Duff Asheton Smith) to be Under-Sheriff of that county for the ensuing year. Mr. Allanson was admitted a solicitor in 1872, and is in partnership with Sir Llewellyn Turner.

Sir THOMAS CHAMBERS, Q.C., M.P., has been elected Recorder of the City of London, in succession to the Right Hon. Russell Gurney, Q.C., M.P., who has resigned. Sir T. Chambers is the son of Mr. Thomas Chambers, and was born in 1814. He was educated at Clare College, Cambridge, where he graduated in the first class of the Civil Law Tripos in 1839. He was called to the bar at the Middle Temple in Michaelmas Term, 1840, and he formerly practised on the home circuit, and at the Essex and Hertfordshire Sessions. In 1857 he succeeded Mr. Russell Gurney in the office of common serjeant, and in 1861 he became a Queen's Counsel. He acted as deputy-recorder during the absence of Mr. Russell Gurney in America, and he received the honour of knighthood in February, 1872, on the occasion of the Royal thanksgiving at St. Paul's for the recovery of the Prince of Wales. Sir T. Chambers was M.P. for Hertford from 1852 till 1859, and he has represented Marylebone since 1865. He is a bencher of the Middle Temple (having been treasurer of that society in 1872) and a commissioner of lieutenancy for the City of London.

Mr. EDWARD ROBERT HENLY, solicitor, of Calne, has been appointed Town Clerk of Calne, Secretary to the Calne Railway Company, and Clerk to the Calne Board of Guardians and Highway Board. All the above appointments were held by the late Mr. Richard Clarkson.

Mr. CHARLES BERKELEY MARGETTS, solicitor and notary, of Huntingdon, has been appointed by the High Sheriff of Cambridgeshire and Huntingdonshire (Mr. Richard Hussey Hussey) to be Under-Sheriff of those counties for the ensuing year. Mr. Margetts was a prizeman of the Incorporated Law Society at the examination of Easter Term, 1862, and he is registrar of the Huntingdon county court, coroner of the Hundred of Hurstingstone, Hants, and registrar of the Archdeaconry Court of Huntingdon. He was admitted a solicitor in 1862, and is in partnership with his father, Mr. Charles Margetts.

Mr. EDWARD BAVERTOCK MERRIMAN, solicitor (of the firm of Merrimans & Gwillim), of Marlborough, has been appointed Steward and Agent for the Wilts and Berks estates of the Marquis of Aylesbury. Mr. Merriman is the son of Mr. Thomas Bavertock Merriman, solicitor, and was educated at Winchester and at Exeter College, Oxford, where he took his B.A. and M.A. degrees. He was admitted a solicitor in 1864, and is clerk to the Marlborough Board of Guardians, superintendent registrar, and steward of the Somerset Hospital, and is also steward of other extensive estates in Wilts and Berks belonging to F. Leyborne Popham, Esq.

Mr. CHARLES EDWARD HOWARD VINCENT, barrister, has been appointed Director of Criminal Investigations in the Metropolitan Police. Mr. Vincent was formerly a lieutenant in the 23rd Foot, and is now lieutenant-colonel in the 40th Middlesex Rifle Volunteers. He was called to the bar at the Inner Temple in Hilary Term, 1876, and is a member of the South-Eastern Circuit and Surrey Sessions.

### Societies.

#### LAW STUDENTS' DEBATING SOCIETY.

The meeting of this society, held at the Law Institution, Chancery-lane, on Tuesday evening last, being the first meeting in the month, was chiefly occupied with business. Mr. C. Swinfen Eady, LL.D., presided. A resolution was passed to admit the members of the United Law Students' Society to the meetings for a further period of three months. The question appointed for discussion was:—"Bequest of a fund to A. upon trust to pay the dividend to B. until she shall attain twenty-one or marry, and appointment of A. executor. Is there an implied gift of the capital to B. on her attaining twenty-one or marrying?" the cases referred to on the subject being *Wilks v. Wilkinson*, 10 W. R. 55, and *Is vs Hadley's Trust*, 25 W. R. 529. Mr. Upton opened the debate in the affirmative, and Mr. Sargent and Mr. F. P. Henry supported the negative. At the close of the debate the question was decided by the society in the negative.

#### UNITED LAW STUDENTS' SOCIETY.

A meeting was held at Clement's-inn Hall on Wednesday last, Mr. W. C. Owen in the chair. A vote of thanks to Sir Henry James was unanimously passed for the price which he had recently offered to the society. Several business matters were disposed of, the most important being a motion by Mr. E. H. Pickersgill admitting members of the Law Students' Debating Society to speak and vote upon all questions except business questions for the next three months. After a short discussion the motion was carried by a large majority.

#### BIRMINGHAM LAW STUDENTS' SOCIETY.

The 621st meeting of the above society was held on Tuesday evening, March 5, in the Library of the Law Institution, Bennet's-hill, Mr. H. Parish in the chair. After the questions on Williams' Personal Property had been discussed, a hearty vote of thanks to Mr. S. Royle Shore, jun., for his valuable services as honorary secretary was passed. A list of books was then proposed to be added to the library and accepted, and a discussion then took place on the following point:—"A. has been in possession for eighteen years of an estate as tenant-at-will of a tenant-in-fee in possession, without acknowledging his lessor's title, and dies intestate, leaving a widow and a son. The widow enters into and remains in possession for fifteen years. Can the lessor maintain ejectment?" the principal case referred to being *Doe d. Carter v. Barnard* (13 Q. B. 945). Mr. Adams opened the debate in the affirmative, and was supported by Messrs. Hayes, Naden, and Withers. Mr. Crockford replied in the negative, and was followed by Messrs. Coulton, Mutlow, Robinson, and Crosskey. The voting was in favour of the negative by a large majority. A vote of thanks to the chairman concluded the meeting.

#### PRUDENTIAL ASSURANCE COMPANY.

The annual general meeting of this company was held on the 7th inst., at the offices, Ludgate-hill, E.C.; Mr. Edgar Hall in the chair.

Mr. W. J. Lancaster (the secretary) read the notice convening the meeting, and the report of the directors was taken as read.

The Chairman commenced his remarks by moving the first resolution—That the report and statement of accounts be received and adopted. Taking the general results of last year, he had to remind them that there had been general depression all over the country, and yet there had been an enormous increase in their annual income, amounting to £193,000. That was more than they could have anticipated, and, if they could keep up that increase, it would be a very fine thing, and the agents and superintendents throughout the country, by working the agricultural parts as well as the seats of commerce, had been able to produce, not only an increase equal to that, but the increase of income over that of last year amounted to the enormous sum of £257,000. That made the income of

the company £1,321,155. There was a saying that a fool could make money, but it required a wise man to take care of it, and they had paid particular attention to the way the funds were invested. From the alteration in the mode of keeping the accounts during the past year, necessitated from the division of their two branches, they would not be able perhaps to trace the assets or compare them with the previous year so well as they could on previous occasions, and he might just mention shortly that those assets had increased by the sum of £179,000, and the principal increase had been by the money they had lent on mortgage, £12,000. They had lent about £2,000 on the security of their own policies, which was about the best security they could possibly have. They had invested about £25,000 in reversions, which was an exceedingly good investment, and they had invested besides about £100,000 in ground-rents. Those ground-rents had been purchased to pay over 4 per cent., and in their opinion were the best class of investments they could possibly have. In the ordinary branch there was a satisfactory state of things. They would find that their expenses amounted to something like £15,000, £1,000 less than what they actually received for new premiums during the year, so that the new premium income during the year paid the whole cost of carrying on the business; they collected all the renewal premiums for nothing, and had £1,000 to the good. He thought it ought to be satisfactory to them that they had been able to return to those who had come to their office to insure the sum of £370,000, and that had been distributed amongst some 50,000 or 60,000 families.

Mr. Lord seconded the resolution. He saw, by referring to the report of 1870, that the increase this year was more than the entire income of 1870.

Mr. Chifferiel said he had read the report and accounts with a great deal of care and pleasure. The accounts were so distinct and yet so subdivided that any man who had any knowledge of figures could understand them. He, like the last speaker, congratulated them on the rate of progress in the general business. He thought the increase, considering the hardness of the times, was enormous.

The motion was then put to the meeting and carried unanimously.

Directors and other officers were then elected and votes of thanks passed.

Mr. Justice Denman has presented £900 to University College Hospital, that being his share (less expenses) of the amount realized by the sale of Serjeants'-inn.

The *Glasgow Herald* states that the Duke of Sutherland has presented a petition to the Court of Session, which will shortly come up for consideration, to disentail the earldom and estate of Sutherland. A similar petition will be considered by the court at the same time by the Duchess of Sutherland, Countess of Cromartie, to disentail the Cromartie estate.

On Tuesday afternoon at Lincoln's-inn Hall, Lord Justice Cotton distributed the prizes for shooting to the Inns of Court Volunteers. His lordship reminded the corps that he was an old member, and had often been a competitor at the butts. For eighteen years he had served in their ranks, and for the last two or three had been corporal. During that period the progress of the volunteer movement had been wonderful. He recalled the day when 22,000 volunteers had solved the great duke's problem of defiling safely out of Hyde-park, and congratulated himself that now their discipline was perfect. It was well that it should be so, seeing that if England should be engaged in foreign war the defence of the country would rest in a great measure on the volunteers. He saw no reason for apprehension at present, but it behoved all branches of the national defence to be ready for any contingency. His lordship concluded with some practical suggestions respecting shooting and drill, and a kind and regretful allusion to the loss the corps had sustained by the death of Mr. Chitty. The prizes having been distributed, Lieutenant-Colonel Balwer, Q.C., M.P., thanked Lord Justice Cotton for the honour he had conferred on the corps by distributing the prizes, and pointed out his lordship's singular fitness for the work, seeing that in 1875 he was the best shot in the corps. He also endorsed all that had been said respecting the late Mr. Chitty. A few words, acknowledging the vote of thanks, from Lord Justice Cotton, terminated the proceedings.

## New Orders, Etc.

### PRISONS ACT, 1877.

#### NEW RULES.

Rules have been approved by the Secretary of State for prisons in England and Wales under the Act of last year. We have not been able to obtain a copy in time for publication, and take the following summary from the *Daily News*:— Upon an order being made for the discontinuance of any prison in the first column of the subjoined table, the prisoners who would otherwise have been confined there shall, from that date, be confined in the prison named in the second column.

Prisons to be discontinued.	Prisons Appointed.
Buckingham Borough.....	Aylesbury County.
Cambridge Borough.....	Cambridge County.
Ely, Isle of Ely.....	Ditto.
Wisbeach, Isle of Ely.....	Ditto.
Barnstaple Borough.....	Exeter County.
Tiverton Borough.....	Ditto.
Devonport Borough.....	Exeter County and Plymouth Borough.
Poole Borough.....	Dorchester County.
Bristol City Bridewell.....	Gloucester County.
Ilford County.....	Springfield County.
Hereford City.....	Hereford County.
Hertford County.....	St. Alban's County.
Dover Borough.....	Maidstone County and Canterbury County.
Sandwich Borough.....	Ditto.
Lincoln County.....	Lindsey County.
Falkingham County.....	Lindsey County and Spalding County.
Lincoln City.....	Lincoln County.
Grantham Borough.....	Ditto.
Stamford Borough.....	Lincoln County and Spalding County.
Norwich City.....	Norwich County.
Wymondham County.....	Ditto.
Peterborough Liberty.....	Northampton County.
Berwick - upon - Tweed Borough.	Newcastle-on-Tyne City.
Nottingham County.....	Nottingham Borough and Southwell County.
Oxford City.....	Oxford County.
Portsmouth Borough.....	Winchester County.
Bury St. Edmunds County	Ipswich County and Ipswich City.
Appleby County.....	Kendal County.
Beverley County.....	Wakefield County, Leeds Borough, and York County.
Ripon Liberty.....	Northallerton County, Wakefield County, Leeds Borough, and York County.
Scarborough Borough.....	Kingston-on-Hull Borough, and York County.

After the 1st of April next any prisoner charged with an offence committed either in that part of the county of Essex which is within the petty sessional division of Ilford, or in the county of Kent, within the districts assigned to the Metropolitan police-courts of Woolwich and Greenwich, shall, instead of being confined in the Ilford or Maidstone county prison be confined in (1) the Clerkenwell county prison and Holloway prison, or (2) Clerkenwell prison, Newington county prison, and Wandsworth county prison. Special rules are laid down with respect to prisoners awaiting trial, in regard to whom it is provided that the visiting committee shall, on the application of any such prisoner, if, having regard to his ordinary habits and condition of life, they think such special provision should be made in respect to him, permit him (1) to occupy, on payment of a small sum fixed by the commissioners, a suitable room or cell especially fitted for such prisoners, and furnished with suitable bedding and other articles in addition to or different from those furnished for ordinary cells; (2) to exercise separately or with selected untried prisoners, if the arrangements and construction of the prison permit it; (3) to have at his own cost the use of private furniture and utensils suitable to his ordinary habits, to be approved by the governor; and (4) to



have, on payment of a small sum fixed by the commissioners, the assistance of some person to be appointed by the governor relieving him from the performance of any unaccustomed tasks or offices. There are also special rules for first-class misdemeanants, special rules for debtors, and general rules for the government of prisons.

#### EXTRADITION ACTS.

The *Gazette* of February 28 contains an Order in Council giving effect to an ordinance of the Legislature of Honduras extending to that colony the provisions of the Extradition Acts.

#### CROWN OFFICE ACT, 1877.

The *Gazette* of February 28 contains an Order in Council made under 40 & 41 Vict., c. 41, s. 3, prescribing by Rule 1 the form to be used for commissions of the peace under the Great Seal for counties in England and Wales. The same form of commission of the peace as set forth in Rule 1 is to be used for the liberties of St. Alban, the Cinque Ports, Caewod, Peterborough, Ripon, the Tower of London, Westminster, the Isle of Ely, the town and county of Haverfordwest, the Isle of Man, and also for Scotland. Rule 4 sets forth the form to be used for commissions of the peace under the Great Seal for boroughs in England and Wales. Other rules contain the form of commission for declaring the Royal assent to be used when Parliament has been opened by the Queen and by commission; and the last rule provides that, "copies of all Royal proclamations (except those for further proroguing Parliament) shall be sent to the sheriffs of all counties, cities, and towns in England and Wales, and to the sheriffs of all counties in Scotland, who are hereby required to make them known in manner accustomed."

#### AN IMPOSTOR.

At the Middlesex Sessions on Tuesday, Stephen Vincent Folch was indicted for attempting to obtain by false pretences from William Martin Wilkinson the sum of £6, with intent to defraud. A second indictment charged him with obtaining by false pretences from Hugh Mewburn Walker the sum of £10, with intent to defraud. And a third indictment charged him with obtaining by false pretences from William Jacobs Thornhill the sum of £5, with intent to defraud.

From the statements of counsel and the evidence it appeared that, on 28th December last, the prisoner called on Mr. Wilkinson, solicitor, of No. 44, Lincoln's-inn-fields, and having introduced himself, asked for the address of a Mr. Simmons. Mr. Wilkinson told him that he could not give him his address, and having had a few words of conversation the prisoner said he was often in the possession of securities of persons who wanted loans on mortgage, and he wished to know whether, if he had any, he might call upon him in reference to them, and Mr. Wilkinson said he might do so. On the 7th of January he called again, and said he had a friend in Essex who had instructed his lawyer to bring an action to set aside a will of £10,000 a year on account of the witnesses not being present when the will was signed, and he wanted a lawyer in London to undertake it. On the 9th of January he called again, and said a cousin of his, Admiral Challoner, of Guisborough, in Yorkshire was desirous of employing a London solicitor in place of his country solicitor to collect his rent-roll of about £14,000 a year, and he asked Mr. Wilkinson if he would do so. On the 11th of January he called again, and said that his mother was going to make a deed of gift of some property in Adam-street, Adelphi, and that as her lawyer wished to be put in communication with his (prisoner's) lawyer he had taken the liberty of giving in Mr. Wilkinson's name. On another occasion the prisoner called and brought a letter purporting that he and the admiral would call in a few days in reference to the collection of his rent-roll. In reference to the deed of gift spoken of, on the 17th of January he called again and said the draft conveyance would be sent on the following Thursday, at the same time showing a letter which he said he had received from Admiral Challoner stating that he was coming to London about a law suit, which he wished Mr. Wilkinson to undertake. He

then said that he wanted to borrow £4,500 on some property in Newgate-street. He said that this was a matter that had been put into his hands, and he told Mr. Wilkinson the amount of the rental. Upon this the prisoner was told that if the property was what he represented he could easily get the money. The prisoner said that Mr. Wilkinson might make himself easy about the value of the property, as Messrs. Ashurst, Morris, & Co., had already advanced £4,500 as a temporary loan, and they wished to convert it into a permanent one. At an interview on the 17th of January Mr. Wilkinson had provided the attendance of Detective-sergeant Andrews, of Scotland-yard, in the house, who was in a room adjacent to the office, and from which he could hear and see all that passed in the next apartment, he having in the meantime had his suspicions of the prisoner's conduct confirmed by the detective in question. The prisoner, however, on his arrival, contrary to what had been expected, did not ask for any money, but went away and returned in about an hour and a half, when he said that he had to pay some interest in the city, and that he found he was rather short of money, and would be very much obliged to Mr. Wilkinson if he could accommodate him with the loan of the money. Mr. Wilkinson asked him how much the amount was, and he said it was only £6. Mr. Wilkinson told him to call at eleven o'clock on the following morning, and he did so accordingly. Again Detective-sergeant Andrews was in attendance, and on the prisoner's arrival Andrews accosted him with, "I think you know me?" He replied, "Yes, I do." Mr. Wilkinson then said that he had attempted to obtain the money from him by false pretences. Andrews then said, "Is it true that you are deputed by Admiral Challoner to arrange about his property?" He said it was not, and was then taken into custody. A clerk of Messrs. Ashurst, Morris, & Co., proved that they had not advanced £4,500 on any property in Newgate-street, and having searched their books he could find no trace of the prisoner's being at their office. It further appeared that the prisoner had stated that he had been empowered by Lieutenant-Colonel Dawkins, late of the Guards, to obtain the sum of £30,000 upon an estate owned by him in Norfolk. Mr. William G. Dawkins was called, and he stated that he formerly held a commission in the army as Lieutenant-colonel, and now lived at No. 12, Arlington-street, Piccadilly. He had no knowledge of ever having seen the prisoner until he saw him at the police-court. He had no estate in Norfolk, and never authorized the prisoner to borrow £30,000 or any other money for him. With reference to the alleged fraud upon Mr. Walker, solicitor, of Farnival-inn, it appeared that on the 2nd of December the prisoner called on Mr. Walker and produced a letter from Mr. Thornhill, which contained a request from Mr. Thornhill that he should give the bearer £5. The letter being genuine he received the money. Subsequently he called several times at Mr. Walker's office, and on the 12th of December he asked for a loan of £10, because an allowance from his mother, who was a woman of wealth, had not yet been paid. Believing what he said Mr. Walker gave him a cheque for £10. It was proved that his mother was an invalid of eighty-two years of age, who had been confined to her house for the last two years, and relied for her maintenance upon one guinea per week supplied to her by a nephew. The way in which the prisoner became connected with Mr. Thornhill and induced him to write the letter to Mr. Walker to pay the £5 was this:—At the end of October he had called upon Mr. Thornhill, with whom he had been acquainted, and inquired if he would get an advance of £30,000 upon an estate in Norfolk belonging to Lieutenant-Colonel Dawkins, who resided at 12, Arlington-street. He obtained the £5 in order that he might go to Norfolk to see Colonel Dawkins, and get a letter from him authorizing him to borrow the money on mortgage. Ultimately, Mr. Thornhill's suspicions were excited, and he communicated with Colonel Dawkins, who, in reply, stated he knew nothing whatever of the prisoner and had no estate in Norfolk.

The jury returned a verdict of guilty.

Detective-sergeant Andrews having proved a previous conviction of eighteen months' imprisonment against the prisoner, said the latter was a most dangerous character, and had for many years lived by swindling, and was tried in this court in February, 1876, when his lordship, in sentencing

him to eighteen months' imprisonment, told him that if he came again he would certainly be sent to penal servitude. He then read out a long list of his offences.

The assistant-judge sentenced him to be kept in penal servitude for seven years for obtaining the money from Mr. Walker and Mr. Thornhill, and to imprisonment and hard labour for twelve months for attempting to obtain the money from Mr. Wilkinson, both sentences to run concurrently. The prisoner asked for a case to be granted for the decision of a superior court, which was refused.

## Legal News.

The benchers of the Inner Temple have awarded pupil scholarships of 100 guineas each to the following gentlemen:—In Equity—Mr. A. K. Butterworth; in Real Property Law—Mr. H. F. Boyd; in Common Law—Mr. J. G. Shipman. The examiners were Mr. Leonard Field, Mr. George Sweet, and Mr. J. M. Moorsom.

A meeting of the Judicature Acts (Legal Offices) Committee was held at 13, Delahay-street, on Saturday, when there were present—the Master of the Rolls (chairman), Mr. Justice Lush, Mr. Herschell, Q.C., M.P., Mr. W. Law, C.B., Mr. F. W. Rowsell, Mr. E. F. Barton, Mr. H. L. Pemberton, and the Hon. H. Cuffe (secretary).

An open competitive examination for clerkships (class 1) in the Civil Service will shortly be held by the Civil Service Commissioners. The vacancies which have been notified to the commissioners up to the present date are one clerkship in the Treasury, one in the Colonial Office, one in the Patent Office, one in the Record Office, England, and one in the Record Office, Ireland. The candidates who may be successful in the Treasury and Colonial Office will begin with a salary of £250 a year.

On Friday week, in the House of Commons, Colonel Stanley, in reply to Mr. Muntz, said, "Some little time ago, in anticipation of the present vacancy in the District Probate Registry at Lichfield, I caused a letter to be addressed to the Lord Chancellor, suggesting that when the vacancy occurred the question of uniting this registry with that at Birmingham should be considered. No answer has yet been received from his lordship, but the hon. member will perceive that the object which he has in view was not lost sight of at the Treasury, but the question depends greatly upon the view which the Lord Chancellor may take of it."

The *North German Gazette* in an article on the Territorial Jurisdiction Bill says, "It is clear that the English Government intends to claim jurisdiction over foreign vessels merely passing along the coast of England, and consequently over all those using that international waterway of commerce, the Straits of Dover. Such an extension of the right of jurisdiction is opposed, not only to the character of this maritime road of the trade of the world, but also to the principles of international maritime law, which have up to the present time been recognized as firmly established by the most eminent jurists, and been practically put in force by the decision of the majority of the highest judges of the British Crown."

A Parliamentary paper has been printed showing the number of prisoners who were detained in the several gaols of the United Kingdom, awaiting their trials, between the 1st day of July, 1876, and the 1st day of July, 1877, for periods exceeding two weeks, exceeding one month, exceeding six weeks, exceeding two months, exceeding ten weeks, exceeding three months, exceeding fourteen weeks, exceeding four months, exceeding eighteen weeks, exceeding five months, exceeding twenty-two weeks, and exceeding six months. The paper also shows the number of prisoners in the several gaols on the 1st day of October, 1876 and 1877. The total number of prisoners thus detained amounted to 11,507. The total number of prisoners in gaol on the last day of October, 1876, was 24,785, and on the same day in 1877, 25,601.

A visit to the new Law Courts in the Strand and Carey-street just now, says the *Standard*, would not impress any one with an idea that a great strike in the building trade

was going on. There are now at these works nearly 300 masons, 210 of whom are foreigners. There are over thirty fixers, English and German, at the work, and the western half of the main block is now rising rapidly. Two floors have already been built. Something like 50,000 feet of stone is already dressed ready for setting, so that enough material for another two stories is ready, and these can be added in a short space of time. The eastern block is all but finished internally, whilst externally it only requires to have the scaffold removed. This building was to have been completed in three years, but it has taken a trifle over that time to complete. The main block should be ready in August, 1881, but owing to the strike this has been delayed six months, and will not be complete until 1882, although no further delays are apprehended.

## Wreck Commissioner's Court.

Feb. 14, 15, 16.—*The Chillianwallah*.\*

*The Chillianwallah* was a British brigantine, and was registered and owned in Nova Scotia. She was abandoned while on a voyage from New York to Antwerp in December, 1877.

In the course of the inquiry into the abandonment, a charge was brought against the master of having abandoned her without proper reason.

*Kenneth Digby* appeared for the Board of Trade.

*Phillimore*, for the owners and master of *The Chillianwallah*.

*Allan Stewart*, for the underwriters of the ship and cargo.

*Phillimore* objected, on behalf of the master, that the court had no power to deal with his certificate. The master was a native of Nova Scotia, and a naturalized subject of the United States. He held two certificates—one a master's, granted by the United States, and another, a mate's certificate, granted by the Minister of Marine and Fisheries of the Dominion of Canada. The Canadian certificate was a certificate of service, and not of competency. The Merchant Shipping (Colonial) Act, 1869 (section 8), gives power for the Queen, by Order in Council, with the advice and approval of the Board of Trade, to make certificates of competency granted by colonial authorities of equal validity with Board of Trade certificates; and it provides that there shall be the same power of suspending and cancelling them upon an inquiry, as in the case of Board of Trade certificates. The master's certificate in the present case was granted by the Canadian authorities under 33 Vict. c. 17 (Canada), s. 4. That Act provides for the granting of certificates of competency and of service. By Order in Council of the 19th of August, 1871, the provisions of the Merchant Shipping Act, 1854, were extended to Canadian certificates in pursuance of the Merchant Shipping (Colonial) Act of 1869. The learned counsel argued that the master's certificate in the present case being a Canadian certificate of service only, the Act of 1869, and the Order in Council of August, 1871, did not apply, and the court, therefore, had no power to deal with the certificate.

It was admitted that the court had no power to touch the United States certificate.

The Commissioner held that he had no power to deal with the certificate.

The charge in this case was handed in before certain witnesses from a ship which had fallen in with the derelict were called.

The Commissioner said that if these witnesses were called he should hold that, having regard to rr. 14 and 15, no charge could afterwards be brought against the master.

Feb. 18, 19.—*The Agnes* and *The Annie Vernon*.

*The Annie Vernon*, a steam collier, ran down *The Agnes*, a ketch at anchor in the River Thames.

The master of the ketch had no certificate.

*Bavenhill*, for the Board of Trade.

*Charles Hall* and *Campbell*, for the master and owners of *The Agnes*.

\* Reported by R. G. MANSDEN, Esq., Barrister-at-Law.

*Oliver* (solicitor), for the master and owners of the steamer.

*Ravenhill*, on behalf of the Board of Trade, charged the master of the steamer with negligence in running the ketch down while at anchor, and the master of the ketch for not having caused a good look out to be kept.

*Oliver* objected that the charge against the master of the steamship amounted to a charge of manslaughter, and that the court had no jurisdiction to deal with a certificate where the offence charged was such that the court must decide whether the facts attending the collision were such that a criminal court could convict the officer charged of manslaughter. He contended that such a question could be tried only by a criminal court and a jury.

*Ravenhill* referred to sections 432 and 433 of the Merchant Shipping Act, 1854, and contended that in all cases the court had power to deal with certificates, irrespective of the question whether the holders might be liable in other courts to other penalties.

The COMMISSIONER held that the fact that his decision would incidentally involve the consideration of the question whether the master could be convicted of manslaughter did not preclude him from adjudicating upon the charge brought against the master of the steamship. He found that both the masters were to blame—the master of the steamship for not keeping his vessel more in the fair way, and the master of the ketch for not having caused a better look out to be kept. He warned both of them, but returned to the master of the steamship his certificate.

## Court Papers.

### SUPREME COURT OF JUDICATURE.

#### ROTA OF REGISTRARS IN ATTENDANCE ON

Date.	COURT OF APPEAL.	MASTERS OF THE ROLLS.	V. C. MALLIN.
Saturday, Mar. 9	Mr. Koe	Mr. Leach	Mr. Holdship
Monday .... 11	Latham	Milne	Pemberton
Tuesday ..... 12	Leach	Merivale	Ward
Wednesday .... 13	Latham	Milne	Pemberton
Thursday .... 14	Leach	Merivale	Ward
Friday ..... 15	Latham	Milne	Pemberton
	V. C. BACON.	V. C. HALL.	Mr. Justice FRY.
Saturday, Mar. 9	Mr. Milne	Mr. Pemberton	Mr. King
Monday .... 11	King	Clowes	Tessdale
Tuesday ..... 12	Farrer	Koe	Holdship
Wednesday .... 13	King	Clowes	Tessdale
Thursday .... 14	Farrer	Koe	Holdship
Friday ..... 15	King	Clowes	Tessdale

### SPRING CIRCUITS.

#### COUNTY OF SURREY.

(The LORD CHIEF JUSTICE OF THE COMMON PLEAS, Mr. JUSTICE FIELD, Mr. BARNES HUDDLESTON, Mr. JUSTICE LINDLEY.)

Monday, March 25, at Kingston-upon-Thames.

#### NORTHERN CIRCUIT.

The commission for holding these assizes will be opened at Appleby on Monday, the 11th of March; at Carlisle on Tuesday, the 12th of March; at Lancaster on Saturday, the 16th of March; at Manchester on Wednesday, the 20th of March; and at Liverpool on Saturday, the 30th of March.

The entry of causes at Appleby, Carlisle, and Lancaster will commence immediately after the opening of the respective commissions, and will close at nine o'clock, p.m.

Causes for trial at Manchester and Liverpool may be entered provisionally as follows:—

In Manchester, at the office of the District Registrar, 57, King-street, from Saturday, the 9th, up to and including Tuesday, the 19th March (during office hours), and up to nine o'clock, p.m., at the Assize Courts, after the opening of the commissions.

In Liverpool, at the office of the District Registrar, 12, Harrington-street, from Tuesday, the 19th, up to and including Friday, the 29th March (during office hours), and up to nine o'clock, p.m., at St. George's Hall, after the opening of the commissions.

On entering a cause, two copies of the pleadings must be lodged, one for the use of the judge, and the other for the associate.

The court will sit for the despatch of business on the day after the commission day, at each place (omitting Sunday), at eleven o'clock, a.m.

The trial of special jury causes will commence at Manchester on Monday the 25th of March, at the sitting of the court, and at Liverpool on Thursday, the 14th of April, at the same hour, unless the court shall otherwise order.

A list of causes for trial each day (except the first), at Manchester and Liverpool, will be exhibited in the corridor of the court, and in the library.

By order of the judges.

T. M. SHUTTLEWORTH,

Clerk of Assize and Associate.

Office of Clerk of Assize, Preston.

The associate's fees must be paid in judicature stamps.

### PUBLIC COMPANIES.

Mar. 8, 1878.

#### GOVERNMENT FUNDS.

5 per Cent. Consols, 93½	Annuitants, April, '78, 94
4½ per Cent. Account, April 3, 94½	Do. (Red Sea T.) Aug. 1868
Do. 3 per Cent. Reduced, 91½	Ex Billa, £1000, 2½ per Ct. 10 pm.
New 3 per Cent. 94½ x 4	Do. 4000, Dec. 10 pm.
Do. 2½ per Cent., Jan. '74	Do. 4000 & Exch. 10 pm.
Do. 2½ per Cent., Jan. '74	Bank of England Stock, 337
Do. 3 per Cent., Jan. '78	Do. for Account.
Annuitants, Jan. '88	

## Legislation of the Week.

### HOUSE OF LORDS.

MARCH 4.—BILL READ A THIRD TIME.

PRIVATE BILL:—Deal Water.

MARCH 5.—BILL READ A SECOND TIME.

CONTAGIOUS DISEASES (ANIMALS).

BILL READ A THIRD TIME.

SERLE-STREET AND COOK'S-COURT IMPROVEMENT.

### HOUSE OF COMMONS.

FEB. 28.—BILL IN COMMITTEE.

FACTORIES AND WORKSHOPS. [Clauses 68 to 99.]

MARCH 1.—BILL IN COMMITTEE.

FACTORIES AND WORKSHOPS. [New Clauses.]

BILL READ A SECOND TIME.

EXCHEQUER BONDS (£1,000,000). MATRIMONIAL CAUSES ACTS AMENDMENT.

MARCH 4.—BILL READ A FIRST TIME.

BURIALS.—Bill to enable incumbents of parishes or ecclesiastical districts, or ministers in charge of the same, to permit interments in churchyards with a religious service other than that of the Church of England, or without any religious service. (Mr. Ritchie.)

BILL READ A SECOND TIME.

WEIGHTS AND MEASURES.

BILLS PASSED THROUGH COMMITTEE.

EXCHEQUER BONDS (£1,000,000). PUBLIC BATHS AND WASHHOUSES.

MARCH 5.—BILLS READ A SECOND TIME.

PRIVATE BILLS.—Cannock Chase and Wolverhampton and Cannock Chase Railway Extension, Great Northern Railway (Spalding to Lincoln), Great Northern Railway (Transfer, &c.), London and North-Western Railway (Additional Powers), London and North-Western Railway (Railways and Widening), and Manchester South Junction and Altrincham Railway.

MARCH 6.—BILL READ A FIRST TIME.

COUNTY COURTS.—Bill to amend the jurisdiction and procedure of the county courts, and for the discouragement of frivolous defences therein. (Mr. R. Hill.)



## INDIAN GOVERNMENT SECURITIES.

Ind. Stk., 5 per Cent., July, '89, 100	Inf. Pr. 3 per Cent., May, 90
Ditto for Account, —	Ditto Debentures, 4 per Cent., April, '64
Ditto 4 per Cent., Oct. '88, 100	Do. Do., 5 per Cent., Aug. '73
Ditto, ditto, Certificates —	Do. Bonds, 4 per Cent., £1000
Ditto Enforced, 1 per Cent., 82	Ditto, ditto, under £1000
nd Inf. Pr., 5 per C., Jan. '73	

## RAILWAY STOCK.

Railways.	Paid.	Closing Price.
Stock Bristol and Exeter .....	100	—
Stock Caledonian .....	100	117
Stock Glasgow and South-Western .....	100	108
Stock Great Eastern Ordinary Stock .....	100	45
Stock Great Northern .....	100	117
Stock Do., A Stock .....	100	115
Stock Great Southern and Western of Ireland .....	100	—
Stock Great Western—Original .....	100	99
Stock Lancashire and Yorkshire .....	100	133
Stock London, Brighton, and South Coast .....	100	22
Stock London, Chatham, and Dover .....	100	145
Stock London and North-Western .....	100	133
Stock London and South-Western .....	100	79
Stock Manchester, Sheffield, and Lincoln .....	100	115
Stock Metropolitan .....	100	56
Stock Do., District .....	100	127
Stock Midland .....	100	87
Stock North British .....	100	148
Stock North Eastern .....	100	145
Stock North London .....	100	61
Stock North Staffordshire .....	100	66
Stock South Devon .....	100	126
Stock South-Eastern .....	100	—

\* A receives no dividend until 6 per cent. has been paid to B.

## BIRTHS, MARRIAGES, AND DEATHS.

## BIRTHS.

- MOXON**—March 1, at Cambridge, the wife of James H. H. Moxon, Esq., barrister-at-law, of a daughter.  
**PELLE**—March 2, at 57, Clifton-hill, the wife of Clarence John Pelle, Esq., barrister-at-law, of a son.  
**PRIDHAM**—Feb. 19, at Portsmouth, the wife of C. J. C. Pridham, Esq., solicitor, of a daughter.

## MARRIAGES.

- BIRD-SMITH**—March 5, at Handsworth, near Birmingham, William Joseph Bird, Rock Ferry, Cheshire, solicitor, to Margaret, daughter of the late William Smith, of Springfield, Mauchline, Ayrshire, Scotland.  
**RILEY-PENNINGTON**—March 5, at St. Helen's, Henry Lindon Riley, solicitor, to Lizzie Lynae, daughter of John Pennington, all of St. Helen's.

## DEATHS.

- CLOUGH**—March 2, at No. 7, Marlborough-terrace, Joseph Clough, solicitor, Leeds, aged 52.  
**NORRIS**—March 1, at Gorphwyfa, Llanrwst, N. Wales, Thomas George Norris, Esq., J.P., for the county of Denbigh, aged 69.

## LONDON GAZETTES.

## Winding up of Joint Stock Companies.

FRIDAY, Mar. 1, 1878.

## LIMITED IN CHANCERY.

- British Alliance Assurance Corporation, Limited.**—Petition for winding up presented Feb 26, directed to be heard before V.C. Malins, on Friday, Mar 15. Curtis, Old Jewry chambers, Old Jewry, solicitor for the petitioners.  
**Mill Hill Wood and Rag Extracting Company, Limited.**—The M.R. has fixed Tuesday, Mar 12, at 12, at his chambers, as the time and place for the appointment of an official liquidator.  
**Phosphate Sewage Company, Limited.**—V.C. Malins has by an order dated Jan 23, appointed Edmund Vesoh, Martin's lane, to be official liquidator. Creditors are, on or before Mar 28, to send their names and addresses, and the particulars of their debts or claims to the above. Tuesday, April 9, at 12, is appointed for hearing and adjudicating upon the debts and claims.  
**Sadler's Wells Skating Rink and Winter Garden, Limited.**—V.C. Bacon has by an order dated Feb 19, appointed William Brooks, Old Jewry chambers, Old Jewry, to be official liquidator.  
 TUESDAY, March 6, 1878.  
 LIMITED IN CHANCERY.  
**British Provident Life and Guarantee Association, Limited.**—V.C. Malins has by an order dated Jan 11, appointed Howard Forester Knight, Moorgate at buildings, Moorgate st., to be Official Liquidator.  
**Hasel Lead Mining Company, Limited.**—Petition for winding up presented Feb 25, directed to be heard before V.C. Hall on Mar 15. Fallows and Brown, Lancaster-place, Strand, Agents for Jones, Abery with, Solicitor for the Petitioners.  
**Public Supply Association Limited.**—By an order made by V.C. Malins dated Feb 22, it was ordered that the above Association be wound up. Coburn, Leadenhall st, Solicitor for the Petitioner.

**Wirth Frères et Cie, Limited.**—Petition for winding up presented Mar 2, directed to be heard before the M.R. Mar 16. Bailey and Co, Berners st, Solicitors for the Petitioners.

## STANNARIES OF CORNWALL.

FRIDAY, Mar. 1, 1878.

**Alviggan and Bargulow Tin Mining Company, Limited.**—Petition for winding up presented Feb 25, directed to be heard before the Vice-Warden, at the Prince's Hall, Truro, on Saturday, Mar 9, at 10. Affidavits intended to be used at the hearing, in opposition to the petition, must be filed at the Registrar's Office, Truro, on or before Mar 6, and notice thereof must at the same time be given to the petitioner, his solicitor or his agents. Hodge and Co, Truro, agents for Catlin, Gresham Buildings, Basinghall st.

**New Wheel Town Mining Company.**—By an order made by the Vice-Warden, dated Mar 1, it was ordered that the above company be wound up. Hodge and Co, Truro, solicitors for the petitioners.

## Friendly Societies Dissolved.

FRIDAY, March 1, 1878.

**Good Intent Lodge Friendly Society, Horse and Stag Inn, Finnerley, Nottingham, Feb 26**  
**Llanrwst Female Friendly Society, Llanrwst, Denbigh, Feb 25**

## Creditors under Estates in Chancery.

Last Day of Proof.

TUESDAY, Feb. 26, 1878.

- Champnes, Edward Thomas, Bath, Clerk in Holy Orders.** March 15. Thomas v. Johnson, V.C. Hall. Robinson and Preston, Lincoln's Inn fields.  
**Culhane, Morgan, Victoria rd, Kensington, M.D. March 30.** O'Mahony v. Tritton, V.C. Hall. Gosling, Spring gardens.  
**Elwin, Robert, Sunderland, Esq.** March 28. Elwin v. Horan, M.R. Stoke, Sunderland.  
**Eyre, Rev Charles, Dedham, Essex.** March 26. Gerton v. Rodwell, M.R. Bloxam, Chancery lane.  
**Garrett, Matilda, Hanley, Stafford.** March 25. Pratt v. Pratt, V.C. Malins. She-ton, Wolverhampton.  
**Puller, Thomas, Spitalfields Market, Spitalfields, Licensed Victualler.** March 26. Monk v. Puller, M.R. Fitch, Bishopsgate at Without.  
 TUESDAY, March 5, 1878.  
**Barr, Thomas, Fillogley, Warwick.** April 1. Barr v. Barr, V.C. Malins. Duke, Birmingham.  
**Chinery, William, Mstoeck, Derby, and George Charles Hezler, Matlock, Surgeons.** May 1. Bury v. Hunter, V.C. Hall.  
**Goddard, Robert James, Snafesbury, Dorset, Leather Seller.** March 30. Goddard v. Wykes, V.C. Malins. Robins, Snafesbury.  
**Goodridge, Henry Edmund, Fossil, Bathwick Hill, Bath, Esq.** April 9. Goodridge v. Goodridge, M.R. Burns and Cooke, Bath.  
**Kilborn, Bridget, Ashton-under-Lyne.** April 3. Burns v. Matthews, V.C. Hall. Garside, Ashton-under-Lyne.

## Creditors under 22 &amp; 23 Vict. cap. 35.

Last Day of Claim.

TUESDAY, Feb. 26, 1878.

- Adams, John, Lenton Pirs, Nottingham, Lace Manufacturer.** April 13. Watson and Wadsworth, Nottingham.  
**Andrews, Benjamin, Hanover place, Canterbury, Gent.** April 6. Furley, Canterbury.  
**Andrews, Thomas, Witney, Oxford, Butcher.** March 30. Westell, Witney.  
**Banks, Rupert May, Walton-on-Thames, Surrey.** March 30. Futrovy and Co, John at, Bedford row.  
**Beverie, Ven. William Arundel, Denton Rectory, Norfolk.** April 5. Finch and Co, Gray's inn sq.  
**Bowles, George William, Wellington st, Camden Town, Coachbuilder.** March 23. Ba ward and Co, Lancaster place, strand.  
**Brown, John, Burslem, Stafford, Yeoman.** March 30. Tomkinson and Furnival, Burslem.  
**Bushman, Anne, Dorset sq.** April 5. Walker and Co, Kings rd, G ay's inn.  
**Clapham, Charles, Cheshunt, Hertford, Farmer.** April 9. Thompson and Groom, Raymond buildings, Gray's inn.  
**Dawson, Caroline Drake, Tumbidge Wells, Kent.** March 30. Farrar and Co, Lincoln's inn fields.  
**Dewdney, Elizabeth Charlotte, Gloucester place, Portman sq.** April 1. White and Co.  
**Dodwell, William, Wyle Cop, Shrewsbury, Hydraulic Engineer.** March 31. Sprutt and Son, Shrewsbury.  
**Fisher, Frances, Torquay, Devon.** April 4. Thompson, Worthington.  
**Gardiner, William, Furston, York, Gent.** March 23. Foster and Richards, Poutrestr.  
**Greenlade, Robert, Southminster, Essex, Farmer.** March 25. Digby and Evans, Melton.  
**Harenc, Charles Joseph, Maidenhead, Berks, E q.** May 25. Moynell and Pemberton, Whitehall place.  
**Kerr, Louisa Anne, Barnes, Surrey.** April 9. Meadows, Bond court chambers, Walbrook.  
**Lynes, Caroline, Litcham, Norfolk.** April 30. Palmer, Swaffham.  
**Maclean, William Henry, Alton, nr Laverpool, Merchant.** March 23. Bateson, Liverpool.  
**Mason, James Hobday, Brighton, Gent.** April 20. Philbrick, Basinghall st.  
**Mathewman, John, Wotton, Cheshire, Greengrocer.** March 23. Green and Dixon, Northwich.  
**McAuley, John, Upper Norwood, Surrey, Esq.** April 26. Withall and Compton, Great George st, Westminster.  
**Newland, Richard, Fortes, Glider.** May 1. Besant and Co, Fortes.  
**Newnam, John Nicholas, Folpham, Sussex, Gent.** March 25. Janssen, Chichester.  
**Phillips, John, Brighton, Horse Slaughterer.** March 11. Goodman, Brighton.  
**Robinson, Rev Robert, Mallerstang, Westmorland.** April 22. Pinchard and Shelton, Wolverhampton.  
**Saddleton, Joseph, Harbledown, Kent, Gent.** April 6. Furley, Canterbury.  
**Warner, Richard, Muchall Hall, nr Wolverhampton.** March 27. Warner, Manchester.

FRIDAY, March 1, 1878.

Bennett, Saint John, Cambridge sq, Hyde park, Barrister-at-law. April 25.  
Brown, Great George st, Westminster.  
Black, William, Foulden rd, Stoke Newington, Press Agent. April 1.  
Billey and Taylor, Fenchurch buildings.  
Bromley, Henry, Canonbury park North, Islington, Dissenting Minister.  
May 1.  
Bromley, Bedford row.  
Crane, Matilda, Brossley, Salop. March 25.  
Gordon and Nicholls, Bridgnorth.  
Outbush, Mary Ann, Barnet, Herts. Jane 1. Boyss, Barnet.  
Davison, Ellen Ediss, Lewisham, Kent. April 1.  
Farrer and Co, Lincoln's Inn fields.  
Edwards, Frederick Howarth, Newcastle-upon-Tyne, Agents. March 30.  
Joel, Newcastle-upon-Tyne.  
Frye, Laura Augusta Hastings, Lostwithiel, Cornwall. March 26.  
Hollingsworth and Co, East India avenue.  
Grafton, William Tomkins, Claife, Lancaster, Esq. May 1.  
Gribble and Gouldsmith, Bristol.  
Hale, Mary Ann, Bromley, Kent. April 6.  
Coleman, Gloucester.  
Henson, Benjamin, Thorney, Cambridge, Farmer. April 6.  
Dawbarn and Wise, March.  
Hobson, John Thomas, Eccles, nr Manchester, Inspector of Alkali Works. April 10.  
Collins and Co, Liverpool.  
Holland, George, Great Grimsby, Lincoln, Surgeon. April 1.  
Stephenson and Mountain, Great Grimsby.  
Kellist, William, Patterson st, Mile End, Coal Meter. April 1.  
Abbott, Workshop st, Finsbury.  
Lacey, John, the Grays, Clapham rd, Gent. March 30.  
Start, Ironmonger lane.  
Lloyd, Evan Eustace, Chapel st, Belgrave sq. April 30.  
Wynne and Co, Lincoln's Inn fields.  
Maddley, Edward, New Town, Birmingham, Dissenting Minister. April 30.  
Tyndall and Tyndall, Birmingham.  
Mallinson, Samuel Ralph, Aston park, Birmingham, Gent. April 1.  
Jacques, Birmingham.  
Marriott, Thomas Lechmere, Westminster chambers, Victoria st, Solicitor. March 30.  
Jordan, Westminster chambers.  
Morrell, James, Morley, Cheshire, Farmer. April 10.  
Tuy and Broadbent, Ashton-under-Lyne.  
Morris, William, Frittlewell, Essex, Gent. April 14.  
Sheffield and Sons, Lime st.  
Newham, John Nicholas, Felpham, Sussex, Gent. March 25.  
Janman, Chichester.  
Norton, William Thomas, Birmingham, Draper. April 30.  
Tyndall and Tyndall, Birmingham.  
Perrin, Caroline, Handsworth, Stafford. March 30.  
Tyndall and Tyndall, Birmingham.  
Robson, William, High st, Cauden Town, Grocer. April 23.  
Taylor and Co, Great James st, Bedford row.  
Rosa, Mary, Albion sq, Dalston. March 31.  
Russell, Coleman st.  
Bealy, Richard, Milborne Port, Somerset, Yeoman. April 1.  
Flook, Sherborne.  
Strong, William Oswald, Thornton Heath, Surrey, Gent. April 27.  
Kays, New Inn.  
Thirkil, Rev Thomas Pulvertoft, Cheltenham, Gloucester. April 25.  
Palmer, Cheltenham.  
Wade, John, Buxbridge, York, Stone Mason. May 1.  
Heelis, Skipton.  
Waterhouse, Mary, Baby, York. April 20.  
Palmer and Son.  
Wilson, Frances Sarah Parr, Weymouth st, Portland place. May 31.  
Harriot Tait, adm.

Bankrupts.

FRIDAY, Mar. 1, 1878.

Under the Bankruptcy Act, 1869.

Creditors must forward their proofs of debts to the Registrar.

To Surrender in London.

Brackelbank, Thomas, Leadenhall st, Ship Broker. Pet Feb 22.  
Keene. Mar 12 at 11.30.  
Bugg, Shadrach, Devon's rd, Bromley-by-Bow, Carman. Pet Feb 27.  
Spring-Rice. Mar 12 at 12.30.  
Hoey, John Frederick, Lower Norwood, Builder. Pet Feb 25.  
Brougham. Mar 15 at 11.  
Lawrence, Queen Victoria st, Merchant. Pet Feb 22.  
Keene. Mar 15 at 12.  
Lomas, Henry Robert, and Frederick Weston, East India chambers, Leadenhall st, Shipowners. Pet Feb 26.  
Hazlitt. Mar 12 at 12.  
Quicke, Andrew, Weston, nr Bath, Gent. Pet Jan 8.  
Hazlitt. Mar 15 at 12.

To Surrender in the Country.

Ashton, Edwin, Buckland St Mary, Somerset, General Dealer. Pet Feb 25.  
Meyler. Taunton, Mar 12 at 2.  
Blair, Jonathan, Wigton, Cumberland, Innkeeper. Pet Feb 27.  
Halton. Carlisle, Mar 15 at 11.  
Clarke, Edward Arthur, Plymouth, Shoemaker. Pet Feb 27.  
Edmonds. East Stoneham, Mar 15 at 12.  
Edge, Joseph, Sparkbrook, Worcester, Builder. Pet Feb 26.  
Cole. Birmingham, Mar 12 at 2.  
Foster, William, Southwell, Nottingham, Miller. Pet Feb 27.  
Patcliffe. Nottingham, Mar 10 at 11.  
Mullen, James, Kingston-upon-Hull, Butcher. Pet Feb 26.  
Rollitt. Kingston-upon-Hull, Mar 12 at 3.30.  
Nixon, John, Birmingham, Grocer. Pet Feb 25.  
Cole. Birmingham, Mar 21 at 2.  
Ryder, Dan, Gildersome, York, Cloth Manufacturer. Pet Feb 25.  
Marshall. Leeds, Mar 15 at 11.

TUESDAY, Mar. 5, 1878.

Under the Bankruptcy Act, 1869.

Creditors must forward their proofs of debts to the Registrar.

To Surrender in London.

Black, James, King's Arms yard, Moorgate st, Commission Agent. Pet Mar 1.  
Hazlitt. Mar 22 at 12.  
Maynard, James, Gifford st, Caledonian rd, Cab Proprietor. Pet Mar 1.  
Keene. Mar 15 at 12.30.

To Surrender in the Country.

Cockson, Charles Edward, Cobridge, Stafford, Earthenware Manufacturer. Pet Feb 18.  
Tennant. Hanley, Mar 15 at 12.  
Hindnaugh, Matthew, West Boldon, Durham, House Builder. Pet Feb 28.  
Ellis. Sunderland, Mar 19 at 12.  
Needham, Robert, New Sleaford, Lincoln, Wheelwright. Pet Mar 1.  
Staniland. Boston, Mar 16 at 12.30.  
Robinson, Thomas, Handsworth, Stafford, Miller. Pet Feb 28.  
Cole. Birmingham, Mar 18 at 2.  
Pearce, John, Roebic, Cornwall, Farmer. Pet Mar 2.  
Chilcott. Truro, Mar 16 at 3.  
Saville, Thomas, Halifax, Brickmaker. Pet Feb 28.  
Rankin. Halifax, Mar 18 at 11.  
Thomas, Richard, sen, Westfield, Sussex, Threshing Machine Proprietor. Pet Mar 1.  
Young. Hastings, Mar 16 at 1.  
Marsh, Isaac, Thorne, York, Contractor. Pet Feb 28.  
Wake. Sheffield, Mar 15 at 12.

BANKRUPTCIES ANNULLED.

FRIDAY, Mar. 1, 1878.

Robinson, Charles Devieux, Gresham house, Merchant. Feb 25.  
Ryley, Edward Charles, Southend, Essex, Solicitor. Feb 28.  
TUESDAY, Mar. 5, 1878.  
Biggs, William Edward, Wrotham, Kent, Brewer's Manager. Feb 14.

Liquidations by Arrangement.

FIRST MEETINGS OF CREDITORS.

FRIDAY, Mar. 1, 1878.

Adams, Joseph, Coventry, Watch Manufacturer. Mar 13 at 3 at the County Court Office, Coventry.  
Davies, Coventry.  
Baker, Albert George, Southampton, Baker. Mar 11 at 3 at offices of Shuttle, Portland st, Southampton.  
Bancroft, William, Holbeck, Leeds, Confectioner. Mar 13 at 1 at offices of Bond and Barwick, Albion place, Leeds.  
Barrett, Charles, Newmarket terrace, King's cross, Wheelwright. Mar 11 at 3 at offices of Moore, Bedford row.  
Bayley, John, Gillsbrook, Nottingham, Tanner. Mar 20 at 2 at the Cannon at Hotel. Thorpe and Thorpe, Nottingham.  
Bell, Joseph, Newcastle-upon-Tyne, Draper. Mar 15 at 2 at offices of McAllum, Granger st west, Newcastle-upon-Tyne.  
Richardson, Newcastle-upon-Tyne.  
Blunson, Eliza, Cambridge, Dressmaker. Mar 19 at 3 at offices of Adcock, Regent st, Cambridge.  
Bowker, William, Turnbridge, York, Yarn Spinner. Mar 11 at 3 at offices of Ramsden and Sykes, John William st, Huddersfield.  
Branch, Charles, Bristol, Fock Butcher. Mar 15 at 3 at offices of Sibly, Exchange west, Bristol.  
Brierley, William Henry, and Charles Henry Kenyon, Chetnam, Lancashire, Plasterers. Mar 11 at 3 at offices of Farrar and Hall, Princes st, Manchester.  
Briggs, Anne, Oldham, Builder. Mar 20 at 3 at offices of Blackburne and Co, Clegg st, Oldham.  
Bright, Thomas, Chard, Somerset, Innkeeper. Mar 14 at 1 at the George Hotel, Chard.  
Reed and Cook, Bridgewater.  
Briscoe, Joseph, Bromborough, Cheshire, Surveyor. Mar 18 at 3 at offices of Thompson, Hamilton st, Birkenhead.  
Carr, Isaac, Ellerker, York, Innkeeper. Mar 12 at 3 at offices of Summers, Manor st, Kingstons-upon-Hull.  
Carr, Joseph William, London st, Poulterer. Mar 9 at 4 at Ridler's Hotel, Holborn.  
Hope, John st, Bedford row.  
Carter, Henry, Winches, Canterbury, Licensed Victualler. Mar 13 at 2 at the Guildhall Tavern, Gresham st.  
Minter, Fokstone.  
Cassole, Isabel, South Shields, Durham, Timber Merchant. Mar 18 at 2 at offices of Strachan, Granger st west, Newcastle-upon-Tyne.  
Moore, South Shields.  
Chattin, George, Smethwick, Stafford, Wheelwright. Mar 15 at 3 at offices of Shakespeare, Church st, Oldbury.  
Cocks, Walter James, Wilton rd, Hackney, Builder. Mar 14 at 11 at offices of Walker, King's Arms yard, Moorgate st.  
Cock-hut, Henry Crossley Mayo, Ashted, Birmingham, Goldbeater. Mar 11 at 10.15 at offices of East, Cherry st, Birmingham.  
Cooper, James Culbert, Newcastle-upon-Tyne, General Merchant. Mar 18 at 11 at the rooms of the Incorporated Law Society, Royal arcade, Newcastle-upon-Tyne.  
Ingledaw and Daggett, Newcastle-upon-Tyne.  
Cooper, Thomas Richard, Toxteth park, Liverpool, Builder. Mar 19 at 2 at offices of Blackhurst and Fretson, Dale st, Liverpool.  
Cross and John, Jun, Batley, York, Wool-sale Grocer. Mar 15 at 3.15 at the Black Bull Hotel, Mirfield.  
Wooler, Batley.  
Curie, James, London place, London Fields, Glass Bottle Manufacturer. Mar 8 at 4 at offices of Ogil, Workshop st, Finsbury sq.  
Davies, David, Swansea, Licensed Victualler. Mar 14 at 11 at offices of Hartland and Co, Rutland st, Swansea.  
Davies, Thomas Lloyd, Swansea, Ciliary Agent. Mar 11 at 11 at offices of Hartland and Co, Rutland st, Swansea.  
Drinkwater, William, Knaford, Cheshire, Provision Dealer. Mar 14 at 3 at offices of Orton, Ridgefield, Manchester.  
Dyson, John Joseph, Bradford, Jeweller. Mar 13 at 3 at offices of Spencer, Pices Hall yard, Bradford.  
Erington, Robert, Farrow, Durham, Innkeeper. Mar 13 at 2 at offices of Wallace, Pilgrim st, Newcastle-upon-Tyne.  
Fisher, Joshua, Brick Lane, Bethnal green, Grocer. Mar 21 at 3 at offices of Myers and Co, Finsbury pavement.  
Forchew, Henry, Charlton Kings, Gloucester, out of business. Mar 9 at 1 at offices of Smith, Corn Exchange, Cheltenham.  
Foulstone, Christopher John, Rotherham, York, Joiner. Mar 13 at 12 at offices of Marsh and Pollard, Westgate, Rotherham.  
Gabb, George, Drybrook, Gloucester, Blacksmith. Mar 15 at 11 at offices of Dighton, Midge dean.  
Georgiad, Australias, Manchester, Merchant. Mar 22 at 3 at offices of Grundy and Kerhaw, South st, Manchester.  
Gibson, William Henry, North Ormeau, Builder. Mar 12 at 11 at offices of Robson, Linthorpe rd, Middlesbrough.  
Gill, Francis, Uttoxeter, Stafford, Music Seller. Mar 14 at 10 at offices of Cowlishaw, Uttoxeter.  
Gittins, Henry, Liverpool, Grocer. Mar 14 at 3 at offices of Carmichael, Lord st, Liverpool.  
Norden and Mason, Liverpool.  
Godber, John, Nottingham, Bootmaker. Mar 19 at 12 at offices of Parsons and Son, Wheelgate, Nottingham.

Gowland, Joseph, and Stephen Gowland, Stockwell rd, Lambeth, Grocers. Mar 12 at 12 at 51, Maiden lane, Covent garden. Buttn and Co, Henrietta st, Covent garden.  
 Grainger, Thomas, Darlington, Butcher. Mar 14 at 3.30 at offices of Sheldon, High st, Wednesbury.  
 Groves, George, Ormskirk, Lancashire, Farm Bailiff. Mar 8 at 2 at the Lamb Hotel, Nantwich, Cheshire, Liverpool.  
 Green, Morris, Jarrow, Durham, out of business. Mar 14 at 2 at offices of Joel, Newgate st, Newcastle-upon-Tyne.  
 Greenslade, Amos Cole, Ashley vale, Bristol, Packer. Mar 9 at 12 at offices of Williams, Tailors' Hall chambers, Broad st, Bristol.  
 Hamilton, Frederic, Gorleston, Suffolk, Commission Agent. Mar 18 at 12 at offices of Ferrier, Hall Quay, Great Yarmouth.  
 Harrison, William Lawes, Guildford, Draper's Assistant. Mar 12 at 2 at the Three Swans Hotel, Hungerford. Lucas, Newbury.  
 Harrop, Henry Lee, Hyde, Cheshire, Weaver. Mar 14 at 3 at the White Lion Hotel, Market place, Hyde. Drinkwater.  
 Haxell, Frederick Arthur, Ipswich, Corn Merchant. Mar 15 at 11 at offices of Jackman and Sons, Silent st, Ipswich.  
 Hesp, James, Nantwich, Cheshire. Mar 21 at 2 at the Lamb II Hotel, Nantwich. Martin, Nantwich.  
 Hodger, George, Hereford, Tailor. Mar 14 at 3 at offices of Corner, High town, Hereford.  
 Hemming, Henry, Bristol, Haulier. Mar 7 at 11 at offices of Meeres, Nicholas st, Bristol.  
 Hendly, William Thomas, St John's, Worcester, Licensed Victualler. Mar 20 at 3 at offices of Pitt, The Avenue, Cross, Worcester.  
 Hepper, George, and Alfred Beaman d, Bradford, Commission Agents. Mar 15 at 11 at offices of Wood and Co, Commercial bank buildings, Bradford.  
 Hill, Thomas, Scawby, Lincoln, Grocer. Mar 13 at 11 at offices of Hett and Co, Brig.  
 Hopkins, John, Spelters, Glamorgan, Licensed Victualler. Mar 13 at 12 at offices of Thomas, Queen st, Neath.  
 Horner, William Whitfield, and George Barker, Ardwick, Lancashire, Engineers. Mar 7 at the Mire Hotel, Cathedral yard, Manchester, in lieu of the place originally named.  
 Hubert, Thomas Samuel, Burr st, Lower East Smithfield, Lighterman. Mar 14 at 3 at offices of Farnfield, Lower Thames at.  
 Hughes, Thomas James, Duncun, Sossers, Gentleman. Mar 21 at 2 at offices of Howse, Red Lion sq, Holborn. Morris, Ludgate hill.  
 Hunt, Isabella, Bishop's Stortford, Hertis, Coach Builder. Mar 18 at 12 at offices of Plunkett, Gutter lane.  
 Hurnell, Edward, Birkenhead, Commercial Clerk. Mar 19 at 3 at offices of Gibson and Co, South John st, Liverpool. Johnson, Liverpool.  
 Hyde, Thomas Light, Baker st, Enfield, Grocer. Mar 19 at 4 at 12, Walbrook. Rumney, Enfield.  
 James, Arthur John, Stafford, Grocer. Mar 19 at 12 at offices of Rex, Bank chambers, Stafford.  
 Johnson, James, Stoke-upon-Trent, Fruiterer. Mar 11 at 11 at offices of Griffiths, Lad lane, Newcastle-under-Lyme.  
 Jones, George, Cumbrian, Mon, Grocer. Mar 15 at 2 at offices of Munn and Kennard, Crichebbrown, Cardiff. Morris, Cardiff.  
 Jones, Martha, Lady Margaret rd, Kenilworth, Dressmaker. Mar 11 at 3 at offices of Noton, Great Swan alley, Moorgate st.  
 Jones, Rhys Etna, Aberdare, Draper. Mar 13 at 11 at the Waterloo Hotel, Piccadilly. Morgan, Cardiff.  
 Knight, Charles Alexander, Addiscombe, Surrey, Licensed Victualler. Mar 15 at 2 at offices of Neave, Chesham.  
 Langley, William Lamb yard, Caledonian rd, Cab Proprietor. Mar 15 at 3 at offices of Taylor and Jaquet, South st, Fishguard.  
 Lawson, David, Wigton, Cumber and, Spirit Merchant. Mar 15 at 12 at offices of Carrick and Son, Wigton.  
 Laycock, Thomas William, Darlington, Commission Agent. Mar 14 at 11 at offices of Stevenson and Meek, Paradise terrace, Darlington.  
 Leach, John, Bramley rd, Notting hill, Grocer. Mar 13 at 3 at offices of Aird, Eastcheap.  
 Levy, Elizabeth, High st, Islington, Clothier. Mar 14 at 3.30 at offices of Brook and Chapman, Wool Exchange, Coleman st.  
 Liles, John, Birmingham, Corn Dealer. Mar 12 at 3 at offices of Bower and Co, Paradise st, Birmingham.  
 Love, John, Birmingham, Fruiterer. Mar 19 at 12 at offices of Wilson, Bennett's hill, Birmingham. Cowdell, Birmingham.  
 Lumley, William Brownrigg, Westgate-on-sea, Kent, Retired Captain in H.M.'s Indian Service. Mar 20 at 12 at the York Hotel, Margate. Dorman, Ramsgate.  
 Mackie, James, Wood st, Finsbury, Wholesale Boot Manufacturer. Mar 11 at 12 at offices of Gosssett, Bishopsgate at without.  
 Martin, Josephus, Badrek, Cornwall, Builder. Mar 13 at 3 at offices of Jenkins, Post Office buildings, Falmouth.  
 Mein, Andrew, Stratford, Engineer. Mar 11 at 2 at offices of Shearman, Little Tower at.  
 Merritt, Francis, Kingston-upon-Hull, Draper. Mar 14 at 11 at offices of Pettigall, County buildings, Land of Green Ginger.  
 McLeod, James, Mersey Tyndal, Grocer. Mar 13 at 11 at offices of Lewis and Jones, Victoria st, Mersey Tyndal.  
 Möller, Carl Fredrik Zenithen, George Frederick Stark, Han Goshald, and William Archibald Freeman, Newcastle-upon-Tyne, Merchants. Mar 22 at 2 at offices of Monkhouse and Co, St Nicholas buildings, Newcastle-upon-Tyne. Mather and Co, Newcastle-upon-Tyne.  
 Morgan, Morgan Merritt, Capoach, Aberdare, Colliery Weigher. Mar 14 at 11 at offices of James, Canon st, Aberdare.  
 O'Connell, John, Liverpool, Boot Maker. Mar 15 at 3 at offices of Connor, Ranelagh st, Liverpool. Norden and Mason, Liverpool.  
 Oliver, Caleb, Goldsmith st, Wood st, Warehouseman. Mar 20 at 12 at the Cannon st Hotel, Cannon st. Fulton.  
 Overoff, John, Sutton-in-Ashfield, Nottingham, Butcher. Mar 15 at 3 at offices of Cranich and Stroud, Low pavement, Nottingham.  
 Parker, James Benjamin, Howick place, Westminster, Contractor. Mar 11 at 1 at offices of Stephens and Co, Bedford row.  
 Parkes, Noah, sen, Oldbury, out of business. Mar 15 at 11 at offices of Shakespeare, Church st, Oldbury.  
 Peckley, Joseph, and John Thomas Honour, Chatteris, Cambridge, Tailors. Mar 11 at 1 at offices of Richardson, Chatteris.  
 Pickering, David, Middleborough, Cab Proprietor. Mar 9 at 11 at offices of Teale, Albert rd, Middleborough.

Pierce, David, Llanrwst, Denbigh, out of business. Mar 20 at 3 at the Easles Hotel, Llanrwst. James, Llanrwst.  
 Platt, John Spallion, Hanley, Grocer. Mar 13 at 11 at offices of Pad-dock and Sons, Old Hall st, Hanley.  
 Reid, Samuel, Guildford, Surrey, Boot Dealer. Mar 13 at 1 at the County and Bercon Halls, Guildford. Gosch, Guildford.  
 Ridley, George Henry, Boxmoor, Hertford, Shopkeeper. Mar 18 at 11.30 at offices of Bullock, Great Berkhamstead.  
 Roberts, Benjamin, Low Moor, York, Brickmaker. Mar 12 at the George Hotel, Market st, Bradford, in lieu of the place originally named.  
 Roberts, Daniel, Choriton-upon-Medlock, Lancashire, Boot Maker. Mar 15 at 3 at the Tower Hotel, Cathedral steps, Manchester.  
 Rodley, Frederick, Beeston hill, Leeds, Horse Dealer. Mar 13 at 11 at offices of Barle, Bank at, Leeds. Ward.  
 Rose, Michael, Middlessex st, Whitechapel, Dealer in Fancy Goods. Mar 13 at 3 at offices of Mardon, Moorgate st. Cattlin, Gresham buildings, Basinghall at.  
 Sandford, William, Chipping Norton, Oxford, Innkeeper. Mar 16 at 11 at the Fox Inn, Chipping Norton. Kilby and Mace, Chipping Norton.  
 Shotton, Benjamin, Hodnet, Salop, Farmer. Mar 15 at 1 at the White Horse Hotel, Wem, Salop. Pearson, Market Drayton.  
 Shuckburgh, Edward, Worle, Somerset, Coal Merchant. Mar 14 at 11 at offices of Smith, Handel House, High st, Weston-super-Mare.  
 Snowden, John, Accrington, Grocer. Mar 15 at 3 at offices of Bank-house, St John's place, Blackburn.  
 Stairmand, Thomas, Darlington, Joiner. Mar 15 at 10 at offices of Barron, High row, Darlington.  
 Steele, Benson, Broughton-in-Furness, Innkeeper. Mar 18 at 12 at the Old King's Head Hotel, Broughton-in-Furness. Butler, Broughton-in-Furness.  
 Stredder, John Edmund, Essex rd, Islington, Baker. Mar 13 at 4 at offices of Young and Sons, Mark lane.  
 Tannerfield, Alexander, Foster lane, Cheshire, Tailor. Mar 13 at 3 at offices of Webb, Austin Friars.  
 Taylor, Benjamin, Chipping Wycombe, Bucks, Builder. Mar 15 at 3 at offices of Rawson, Church sq, High Wycombe.  
 Thompson, Henry, Tingley, nr Wakefield, Carrier. Mar 15 at 3 at offices of Shaw, Bond st, Dewsbury.  
 Thompson, Joseph Stanislaus, Brighton, Dealer in British Wines. Mar 20 at 3 at offices of Brandreth, Middle st, Brighton.  
 Thornton, Amos, Halifax, Bootmaker. Mar 16 at 2 at the Spotted Cow Inn, B. at Market, Huddersfield. Freeman, Huddersfield.  
 Turley, Arthur, Leeds, Architect. Mar 14 at 3 at 7, South parade, Leeds. Pickering.  
 Vavish, James Samuel, Leytonstone, Essex, Ironmonger. Mar 14 at 12, at offices of Anning, Cheshire.  
 Weeks, Charles Alfred, Chew Stoke, Somerset, Carpenter. Mar 9 at 11 at offices of Anning, Victoria st, Bristol.  
 Weeks, James, Globe rd, Bethel Green, Boot Manufacturer. Mar 9 at 4 at offices of Palmer, Charles sq, Hoxton.  
 Weinrabe, Abraham Maurice, Turner st, Commercial rd, Jeweller. Mar 18 at 3 at offices of Gostly, Bow st, Covent garden.  
 Wesley, William Parkinson, Preston, Lancaster, Jeweller. Mar 13 at 3 at the Shelley Arms Hotel, Fishergate, Preston. Edleston, Preston.  
 Weston, William, Kingston-upon-Hull, Tailor. Mar 8 at 2 at the Queen's Hotel, Wellington st, Leeds. Sparr, Hull.  
 Wherlial, James, Sale, Cheshire, Cab Proprietor. Mar 13 at 3 at offices of Horner and Son, Clarence st, Manchester.  
 White, John, Belamara, Devon, Miller. Mar 13 at 12 at offices of Hooper and Michelmors, Newton Abbot.  
 Whiting, Robert, Farnham, Surrey, Manure Merchant. Mar 15 at 3 at offices of Longcroft, Clement's inn, Strand.  
 Whitaker, Patrick, Liverpool, Team Owner. Mar 12 at 12 at offices of Carruthers, Clayton sq, Liverpool.  
 Wilkins, Charles, Caphthall House, Telegraph st, Refreshment house keeper. Mar 19 at 4 at offices of Keighley, Ironmonger lane.  
 Wood, William Henry, Bradford, York, Stuff Merchant. Mar 15 at 11 at the Victoria Hotel, Brading d. Berry and Robinson, Bradford.  
 Woolnough, William Linstead, Ipswich, Builder. Mar 12 at 12 at offices of Cobbold and Co, Tower st, Ipswich.

## TUESDAY, MARCH 5, 1878.

Adie, Joseph, Longdon, Stafford, Farmer. Mar 15 at 12 at the George Hotel, Bird st, Lichfield. Dalglish and Co, Walsall.  
 Aspinall, Alice, St Helen's, Lancashire, Draper. Mar 19 at 2 at offices of Massey, Hardshaw st, St Helen's.  
 Baldwin, David, Blackburn, Ale Merchant. Mar 18 at 11 at offices of Livesey and Talbot, New Market st, Blackburn. Walton, Blackburn.  
 Barber, Henry, Heckmondwike, York, Rag Merchant. Mar 20 at 3.30 at the Wilton Arms Inn, Batley.  
 Barraclough, William, Bradford, Innkeeper. Mar 15 at 11 at offices of Terry and Robinson, Market st, Bradford.  
 Bartlett, Walter, Birchfield, Stafford, Builder. Mar 15 at 11 at offices of Parr, Colmore row, Birmingham.  
 Baxter, Joshua, Idle, York, Contractor. Mar 18 at 11 at offices of Hutchinson, Piccadilly chambers, Piccadilly, Bradford.  
 Beal, Richard, Church Fenton, York, Innkeeper. Mar 20 at 1 at the Lonsborough Arms Hotel, Selby. A undel and Son.  
 Borden, William, Everthorpe rd, Tollington park, Cement Manufacturer. Mar 16 at 11 at offices of Chapman, Fenchurch st.  
 Bradley, George, Parkend, Gloucester, Innkeeper. Mar 19 at 4 at the Fountain Inn, Westgate st, Gloucester. Jackson, Stroud.  
 Bramley, Charles, Holme-upon-Spalding Moor, York, Innkeeper. Mar 15 at 3 at offices of Pickering, Parliament st, Kingston-upon-Hull. Summers, Hull.  
 Brierley, William Henry, and Charles Henry Kenyon, Pendleton, Lancashire, Pasterors. Mar 12 at 3 at offices of Farrar and Hall, Princess st, Manchester.  
 Brown, Robert, Manchester, Cloth Merchant. Mar 21 at 8 at offices of Cobbett and Co, Brown st, Manchester.  
 Casill, Elias, Kingston-upon-Hull, Hat Manufacturer. Mar 16 at 3 at offices of Summers, Manor st, Kingston-upon-Hull.  
 Chatwin, Thomas, West Bromwich, Iron Bedstead Maker. Mar 20 at 11 at offices of Topham, High st, West Bromwich.  
 Cooper, Alfred, Flaxley, Gloucester, Beer Retailer. Mar 15 at 12 at offices of Parker, Newham.



Cawford, Thomas, Spalding, Lincoln, Brewer. Mar 20 at 1 at the White Hart Hotel, Spalding. Catthorp, Spalding  
 Crowther, Joseph, Bradford, Fruiterer. Mar 18 at 3.30 at offices of Neill, Kirkgate, Bradford  
 Crowther, Thomas, and Edward Taylor, York, Woollen Manufacturers. Mar 15 at 3 at offices of Kenney, Market place, Bailey, Schofield and Taylor  
 Darby, John Henry, Stockton-on-Tees, Ironmonger. Mar 16 at 2.30 at the West Riding Hotel, Wellington st, Leeds. Draper, Stockton-on-Tees  
 Darlington, George, Stockport, out of business. Mar 18 at 3 at offices of Newton, Bank chambers, Market st, Stockport  
 Davies, Thomas, Swansea, Tobaccoist. Mar 18 at 2 at offices of Mowley, Clare st, Bristol  
 Davies, William, Swansea, Grocer. Mar 15 at 11 at offices of Donaghe, Worcester place, Swansea. Priestley  
 Davis, Richard, Small Heath, Birmingham, Builder. Mar 16 at 10.30 at the Midland Hotel, New st, Birmingham. Richardson  
 Dean, Walter, Hastings, Professor of Music. Mar 18 at 11 at the Town Clerk's Office, Bank buildings, Hastings. Meadows and Elliott, Hastings  
 Dehoo, Godfrey Cornelius, Great Portland st, House Agent. Mar 15 at 2 at offices of Slater and Aspinall, Guildhall chambers. Wright, Great Portland  
 Drake, William John, Balham, Builder. Mar 20 at 3 at 145, Cheapside. Saunders and Co, King st, Cheapside  
 Dufon, Ephraim, Birkenhead, out of business. Mar 18 at 11 at offices of Downham, Hamilton sq, Birkenhead  
 Dunk, William, Sandhurst, Kent, Farmer. Mar 20 at 2 at the Bull Inn, Cranbrook. Hinds, Goudhurst  
 Dunn, John, Balsall Heath, Worcester, Labourer. Mar 15 at 11 at offices of Eaden, Bennett's hill, Birmingham  
 Eager, August, St George's rd, St George's-in-the-East, Grocer. Mar 11 at 3 at offices of Dod and Longstaffe, Berners st  
 Edmundson, John, Blackpool, Provision Dealer. Mar 22 at 11 at offices of Morgan, Church st, Blackpool  
 Edwards, Henry, Nottingham, no occupation. Mar 20 at 12 at offices of Fraser, Brougham chambers, Wheelwright, Nottingham  
 Embra, Elijah, Henley-in-Arden, Warwick, Victualler. Mar 15 at 3 at offices of Jones, Aicester  
 Faick, Henry, Flatts, Dewsbury, Pork Butcher. Mar 15 at 3 at offices of Welsh, Queen st, Huddersfield  
 Fahligh, William Leonard Guy, Queen's Head passage, Newgate st, Licensed Victualler. Mar 22 at 3 at offices of Lovering and Co, Gresham st. Morris, Paternoster row  
 Fletcher, Henry, Trammere, Cheshire, Corn Broker. Mar 19 at 2 at offices of Gibson and Co, South John st, Liverpool. Belringer and Cunliffe, Liverpool  
 Fogden, Thomas, East Dean, Sussex, Farmer. Mar 21 at 3 at offices of Arnold, East st, Chichester  
 Foster, John, Newport, Hants, Grocer. Mar 19 at 2.30 at 4, Arthur st east, London bridge. May and Co, Adelaide place, London bridge  
 French, Frederick William, Stroud, Gloucester, Ctrn Merchant. Mar 16 at 10 at offices of Jackson, London rd, Stroud  
 Garvide, Thomas, Odham, Mill Furnisher. Mar 20 at 3 at offices of Whitaker, St Peter st, Oldham  
 George, John, Roderick, Cardiff, Draper. Mar 18 at 3 at offices of Tinsdale and Co, Crockerbottom, Cardiff. Stephens, Cardiff  
 Gordon, Michael, Liverpool, Boot Dealer. Mar 18 at 2 at offices of Filder, Exchange st east, Liverpool  
 Griesen, Ann, Newcastle-upon-Tyne, General Dealer. Mar 19 at 2 at offices of Joel, Newgate st, Newcastle-upon-Tyne  
 Grdin, John, Ashford Carbone, Salop, Farmer. Mar 20 at 12 at 2, Mill st, Ludlow. Bowles, Ludlow  
 Gurney, Henry, Colebrook terrace, Islington, Lodging house Keeper. Mar 18 at 1 at offices of Ilderton, Jewry st, Aldgate  
 Hargre, William, Market Weighton, York, Builder. Mar 10 at 3 at the Station Hotel, Patagon st, Kingston-upon-Hull. Wood, York  
 Harris, Henry, Brighton. Mar 22 at 3 at offices of Beck, East India avenue  
 Harvey, George, Rushall, Stafford, Grocer. Mar 16 at 12 at offices of Baker, Bridge st, Walsall  
 Hawkins, George, Mount hill, Gloucester, out of business. Mar 15 at 1 at offices of Beckingham, Albion chambers, Broad st, Bristol  
 Head, David, Kirkgate, Wakefield, Bookseller. Mar 19 at 3 at the Forsters' Room, Crown court, Wakefield. Mander and Son, Wakefield  
 Heath, Francis, Aston, nr Birmingham, Timber Merchant. Mar 19 at 3 at offices of Perry, Ann st, Birmingham  
 Helmore, Frederick, B. Ivedere, B. h. Teacher of Singing. Mar 13 at 11 at offices of Bartrum, Northumberland buildings, Bath  
 Herbert, Owen, Llandysalliglo, Cardigan, Draper. Mar 18 at 2 at offices of Edwards, High st, Lampeter  
 Heritage, Emma, Banbury, Ox ord, Bee house Keeper. Mar 16 at 11 at offices of Crosby, Bridge st, Banbury  
 Hemmordagh, John, Rhy, Flint, Horse Dealer. Mar 14 at 2 at 11, South John st, Liverpool. Parker, Liverpool  
 Hind, Thomas, Dixon, Newcastle-upon-Tyne, Wholesale Milliner. Mar 18 at 11 at offices of the Chamber of Commerce, 185, Cheapside. Richardson, Newcastle-upon-Tyne  
 Hooper, William, Birmingham, Builder. Mar 15 at 3 at the Great Western Hotel, Monmouth st, Birmingham. Simmons, Birmingham  
 Hoskins, Thomas Henry, Ferranzabuloe, Cornwall, Miller. Mar 18 at 12 at offices of Carlyon and Son, Prince's st, Truro  
 Hural, John Cawthorn, Peterborough, General Dealer. Mar 18 at 1 at the Angel Hotel, Peterborough. Gaches, Peterborough  
 Hurl, George, Blackpool, Builder. Mar 18 at 3 at offices of Houghton and Myers, Winkley st, Preston  
 Hunt, Charles, Buckingham, Fellmonger. Mar 16 at 11 at the Swan and Castle Hotel, Buckingham. Kilby and Co, Banbury  
 Hingworth, Robert Mellow, Halifax, Tea Merchant. Mar 15 at 3 at offices of Rhodes, Horton st, Halifax  
 Ireland, John, and Daniel Garner, Leicester, Boot Manufacturers. Mar 26 at 3 at offices of Wright, Belvoir st, Leicester  
 Jones, David, Llanysul, Cardigan, Butcher. Mar 12 at 12.30 at offices of Griffiths, St Mary st, Carmarthen

Kesley, Alfred, Aston-juxta-Birmingham, Coal Dealer. Mar 19 at 11 at offices of Glover, Park st, Walsall  
 King, Thomas, Wavendon, Buckingham, Farmer. Mar 13 at 3 at the Swan Hotel, Newport Pagnell. Stimson, Bedford  
 Leadbeater, George, Walsall, Licensed Victualler. Mar 18 at 10.15 at offices of East, Cherry st, Birmingham  
 Leyton, Joseph, St Thomas the Apostle, Devon, Hauler. Mar 13 at 2 at offices of Friend, Post Office chambers, Gandy st, Exeter  
 Lewendon, Eilil, Newbury, Berks, Grocer. Mar 16 at 2 at the White Hart Hotel, Newbury. Lucas, Newbury  
 Lewis, William, Llanelly, Carmarthen, Grocer. Mar 21 at 11 at offices of Howell, Stapey st, Llanelly  
 Linney, Daniel, Sheilbatt st, East India rd, Dairyman. Mar 13 at 2 at offices of Swaine, Cheapside  
 Lockyer, Elizabeth Sarah, Penally, Pembroke, out of business. Mar 13 at 1 at offices of Lascelles, Narberth  
 Mackenzie, William, Gordon rd, Pockham, Oakum Manufacturer. Mar 14 at 2 at 11, Old Jewry chambers. Mayhew, Walbrook  
 Maguire, William, Birmingham, Manufacturer of Gilt Jewellery. Mar 14 at 3 at offices of Johnson and Co, Waterloo st, Birmingham  
 May, John, Bath, Fly Proprietor. Mar 20 at 11 at 7, Northumberland buildings, Bath. Maule and Co  
 McGuffie, William, and Andrew McGuffie, Bradford, Stuff Merchants. Mar 15 at 11 at offices of Lawson and Co, Piccadilly, Bradford  
 McMorris, John, Sedgely, Durham, Innkeeper. Mar 19 at 11 at offices of Hutton and Bolover, High st, Stockton-on-Tees  
 Mitchell, William, Cliffe, York, Corn Miller. Mar 19 at 2 at offices of Bond and Barwick, Albion place, Leeds  
 Moore, Richard, Birmingham, Boot Manufacturer. Mar 15 at 10.15 at offices of East, Cherry st, Birmingham  
 Morse, Thomas, Whitecroft, Gloucester, Miller. Mar 18 at 12 at offices of Triggs, Broad st, Bristol. Benson, Bristol  
 Mygmon, Robt, Ampfiford, York, Innkeeper. Mar 18 at 1 at the Court House, Helmsley, York. Pearson, Helmsley  
 Neville, William, High Wycombe, Chair Manufacturer. Mar 18 at 2 at the Guildhall, High Wycombe. Clarke, High Wycombe  
 O'Fee, Edward, Whitehaven, Cattle Dealer. Mar 18 at 2.30 at 10, Irish st, Whitehaven. Pailson  
 Parker, George, Birkenhead, Poultry Dealer. Mar 21 at 3 at offices of Mawson, Duncan st, Birkenhead. Hannan and Pugh, Birkenhead  
 Parr, Codrington Thomas, Gloucester st, Pimlico, Clerk in the London Bankruptcy Court. Mar 18 at 3 at 145, Cheapside. Reep and Co, Bush Lane, Cannon st  
 Peach, John, St Peter's st, Derby. Mar 20 at 3 at offices of Briggs, Amen alley, Derby  
 Pepper, Edmund George, Sheffield, Wine Merchant. Mar 16 at 10.30 at the Inns of Court Hotel, Holborn. Porrett, Sheffield  
 Plant, George, and Samuel Shaw, Brierley Colliery, nr Bradford, Charter Masters. Mar 16 at 11 at offices of Stokes, Priory st, Dudley  
 Prentice, Thomas, Ipswich, Innholder. Mar 19 at 11 at offices of Mills, Elm st, Ipswich  
 Price, Rees, and Rees Price, jun, Gynnmer, nr Pontypridd, Builders. Mar 18 at 3 at the New Inn Hotel, Pontypridd. Woodward, Swansea  
 Ragan, John, Tooley st, Surrey, Carman. Mar 14 at 2 at offices of Cridge, Bishopgate st within  
 Richards, Elezer, Pontypridd, Grocer. Mar 21 at 12 at the Court Hall, Pontypridd. Morgan, Pontypridd  
 Richard, Thomas John, Abertillery, Mon, Innkeeper. Mar 20 at 12 at offices of Gibbs and Llewellyn, Trefgarra place, Newport  
 Roberts, Charles Edward, Walspool, Ironmonger. Mar 19 at 12 at offices of Harrison, Berriw st, Welshpool  
 Roberts, James, Moss side, nr Manchester, Commission Agent. Mar 18 at 3 at offices of Farrar and Hall, Princess st, Manchester  
 Roy, John, and Adam Richardson, Hebburn New Town, Durham, Hotel Keepers. Mar 18 at 11 at offices of Keenlyside and Foster, St John's chambers, Langmer st, Newcastle-upon-Tyne  
 Sangster, Frederick, Llanwrda, Morlaque, Mercantile Clerk. Mar 28 at 3 at offices of Chorley and Co, Moorgate st  
 Schofield, William, George Dira Mortans, and Douglas Hamilton, Stewart lane, Wandsworth rd, Surrey, Stone Merchants. Mar 27 at 11 at offices of Evans and Eagles, John st, Bedford row  
 Shepherd, Robert, Stonecroft, nr Liverpool, Farmer. Mar 20 at 3 at offices of Vine, Dale st, Liverpool. Bartlett, Liverpool  
 Simpson, Henry, Collingwood terrace, Battersea, Butcher. Mar 14 at 4 at 19, Worship st, Fenton  
 Sison, Frederick, Lilyport lane, Warehouseman. Mar 19 at 2 at 145, Cheapside. Allen and Edwards, Old Jewry  
 Smith, John, Lowmore, Worcester, Travelling Draper. Mar 8 at 3 at offices of Whitehouse, Jun, Castle st, Dudley  
 Smith, William Towers, Upper Phillimore place, Kensington, Physician. Mar 21 at 3 at offices of Lumley and Lumley, Conduit st, Bond st  
 Snowden, John, South Shields, Paint Manufacturer. Mar 19 at 3 at offices of Purvis, King st, South Shields  
 Solon, Dudley, Hulme, Lancashire, Grocer. Mar 13 at 3 at offices of Richardson and Son, Clarence st, Manchester  
 Spencer, Holmes, Sludge, York, Common Carrier. Mar 13 at 3 at offices of Cooke, Bow st, Keighley  
 Tailor, James, Grandfield st, Battersea, Job Master. Mar 18 at 3 at office of Ford, Cheapside. West and Co, Cannon st  
 Taylor, Joseph, Lockwood, nr Huddersfield, Baker. Mar 20 at 3 at offices of Leary and Co, Buxton rd, Huddersfield  
 Teasdale, Thomas, William Bakstun, and Richard Dixon Smith, Middleborough, Iron Manufacturers. Mar 13 at 11 at the Corporation Hotel, Middleborough. Dodds and Co, Stockton-on-Tees  
 Tobin, Isaac, Peterborough, Confectioner. Mar 18 at 11 at offices of Gaches, Cathedral gateway, Peterborough  
 Thomas, James, Bristol, Cab Proprietor. Mar 19 at 1 at offices of Beckingham, Albion chambers, Broad st, Bristol  
 Thornber, John, Clitheroe, Lancashire, Potato Dealer. Mar 15 at 3 at the Swan Hotel, Clitheroe. Ainsworth and Son, Blackburn  
 Thornton, John, and Samuel Bathwaite's Thoruton, Huddersfield, Commission Weavers. Mar 13 at 3 at offices of Drake, John William st, Huddersfield  
 Turlall, Thomas, Hardopool, Hair Dresser. Mar 20 at 3 at the Raglan Hotel, West Hartlepool

Videan, Phineas Bowles, Cranbrook, Kent, Blacksmith. Mar 13 at 11 at the Railway Hotel, Staplehurst. Drew, Deal.  
 Vincent, Henry, Bristol, Boot Dealer. Mar 18 at 9 at offices of Silby, Exchange west, Bristol.  
 Wadsworth, Edward, Lindley, Huddersfield. Mar 15 at 11 at offices of Haigh, New st, Huddersfield.  
 Walbridge, Henry, Northborough mews, Harrow rd, Paddington, Carman. Mar 15 at 11 at the Eagle Hotel, Ladbroke Grove rd, North Kensington. Fulcher, Horton rd, Hackney.  
 Walker, John Johnson, Farnish, Northampton, Farmer. Mar 31 at 3 at offices of Gillitt, Corn Exchange, Willingborough. Sharman and Jackson, Wellington.  
 Whitehead, Francis, Fullerton rd, Wandsworth, Traveller. Mar 20 at 19 at offices of Haynes and Sons, Grecian chambers, Devereux court, Temple.  
 Wilkinson, Benjamin, Birmingham, Watch Maker. Mar 15 at 3 at offices of Borton, Ann st, Birmingham.  
 Wilkinson, John, Newgate st, Merchant. Mar 20 at 2 at 111, Cheap-side. Smith, Pancras lane.  
 Williams, John, Liverpool, Tailor. Mar 22 at 3 at offices of Green, Clayton sq, Liverpool.  
 Williams, Thomas, Forth, Rhondda Valley, Glamorgan, Sheep Dealer. Mar 16 at 12 at offices of Thomas, Church st, Pontypridd.  
 Wilds, Henry, Samuel Tomkins, and Samuel Tomkins, Lombard st, Bankers. Mar 28 at 12 at the Cannon st Hotel, Cannon st. Lawrence and Co, Old Jewry chambers.  
 Witcomb, Robert Frederick, Hereford, Butcher. Mar 18 at 4 at offices of Corner, High Town, Hereford.  
 Wood, John, Liverpool, Draper. Mar 13 at 3 at offices of Lupton, Harrington st, Liverpool.  
 Wren, Walter, Biggleswade, Bedford, Fishmonger. Mar 19 at 2 at 122, Holborn. Armstrong and Bowers, Hereford.  
 Wright, Frederick, Leicester, Leather Merchant. Mar 25 at 3 at offices of Wright, Belvoir st, Leicester.  
 Wright, Thomas, Milton, York, Farmer. Mar 19 at 11 at the George Inn, Malton, York. Jacks-n, Malton.

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Candidates must send in their names to the Registrar with any attestation of their qualifications they may think desirable, on or before Tuesday, March 26th. It is particularly desired by the Senate that no personal application of any kind be made to its individual Members.

By order of the Senate,  
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# PRUDENTIAL ASSURANCE COMPANY,

CHIEF OFFICES: 62, LUDGATE HILL, LONDON.

## SUMMARY OF THE TWENTY-NINTH ANNUAL REPORT, FOR THE YEAR ENDING 31st DECEMBER, 1877.

The Shareholders are aware that in the year 1875 the Company obtained an Act of Parliament, enabling them, among other things, to pass a Special Resolution for the entire separation of the Ordinary and Industrial Branches of the Company, and for keeping separate and distinct accounts for each Branch.

Under the powers of the Act, a Special Resolution was accordingly passed, and from and after the 31st December, 1876, the two Branches have been kept entirely distinct, and the accounts are now rendered in conformity with that Resolution.

It may be useful to remind the Shareholders that, for all practical purposes, the two Branches are as distinct as if they were worked by separate Companies, and it is believed that great advantage will be derived therefrom.

In accordance with the Special Resolution so passed, a division of the Funds of the Company on 31st December, 1876, was made, and attention is drawn to the Statement showing the division, which is printed before the usual accounts.

**ORDINARY BRANCH.**—The Annual Premium Income at the end of the year is £93,352 8s. 7d. in respect of 20,813 Policies, assuring the sum of £2,746,981, exclusive of Bonus additions, showing an increase of £10,106 12s. 7d. per annum over the year 1876.

**INDUSTRIAL BRANCH.**—The Annual Premium Income at the close of the year is £1,327,403 4s. 0d., showing an increase of £241,227 6s. 0d. over the income of the previous year.

THE TOTAL PREMIUM INCOME IS .. £1,321,155 12 7

### THE CLAIMS AMOUNT TO—

Ordinary Branch .. .. .	48,409 6 6
Industrial Branch .. .. .	322,270 2 8
	370,679 9 2

THE TOTAL SUM PAID AMOUNTS TO 2,293,674 17 9

## BALANCE SHEET OF THE PRUDENTIAL ASSURANCE COMPANY (ORDINARY BRANCH) ON THE 31st DECEMBER, 1877.

LIABILITIES.		£	s.	d.
Life Assurance Fund .. .. .		511,221	5	7
Sickness and Assurance Fund .. .. .		437	18	1
Leasehold Redemption Fund .. .. .		3,000	0	0
		£514,659	3	8
Claims under Life Policies admitted but not yet paid .. .. .		7,204	16	9
		£521,864	0	5

ASSETS.		£	s.	d.
Mortgages on Property within the United Kingdom .. .. .		94,523	5	2
Loans on the Company's Policies .. .. .		17,731	15	8
Investments:—				
In British Government Securities .. .. .		37,228	18	11
Indian and Colonial ditto .. .. .		49,139	7	3
Foreign ditto .. .. .		15,167	15	8
Railway and other Debentures and Debenture Stock .. .. .		47,303	5	8
Ditto Shares (Preference and Ordinary) .. .. .		6,361	11	4
Trust Funds Certificates .. .. .		20,423	10	0
House Property (Freehold and Leasehold) .. .. .		94,725	3	11
Reversions .. .. .		67,706	11	1
Life Interests .. .. .		225	1	7
Loan on Borough Rates .. .. .		8,400	0	0
Mortgages of Reversions .. .. .		4,324	5	7
Outstanding Account, Industrial Branch (since settled) .. .. .		12,100	4	11
Outstanding Premiums .. .. .		5,947	8	7
Ditto Interest and Reverts .. .. .		3,950	14	0
Amount due from Official Liquidator of International Society .. .. .		22,561	16	2
D p sits at Three Months' Notice .. .. .		18,000	0	0
Cash—On Current Account .. .. .		£4,075	5	4
In Hand .. .. .		100	0	0
		6,175	5	4
		£531,864	0	5

## BALANCE SHEET OF THE PRUDENTIAL ASSURANCE COMPANY (INDUSTRIAL BRANCH) ON THE 31st DECEMBER, 1877.

LIABILITIES.		£	s.	d.
Shareholders' Capital .. .. .		34,920	0	0
Life Assurance Fund .. .. .		536,396	17	9
Contingency Fund .. .. .		40,000	0	0
Outstanding Account, Ordinary Branch (since settled) .. .. .		12,100	4	11
Claims under Life Policies admitted .. .. .		3,775	4	8
		£616,094	6	11

ASSETS.		£	s.	d.
Investments:—				
In British Government Securities .. .. .		10,000	0	0
Freehold Ground Rents .. .. .		263,690	4	7
Scotch Feu Duties .. .. .		7,039	6	0
House Property (Freehold and Leasehold) .. .. .		143,282	2	8
Life and other Interests and Reversions .. .. .		54,638	9	3
Furniture and Fittings (Head and Branch Offices) .. .. .		11,456	10	4
Loans upon Personal Security .. .. .		35,928	8	8
Agents' Balances .. .. .		73,877	19	10
Outstanding Interest and Rents .. .. .		3,844	11	10
Cash—On Current Account .. .. .		£12,066	13	9
In Hand .. .. .		250	0	0
		12,316	13	9
		£616,094	6	11

We have examined the foregoing Accounts, find them to be correct, and hereby confirm the same. We have also seen and examined the various securities.

20th February, 1878.

JAMES ALLANSON, } Auditors.  
ROBERT BARNES, }  
EDGAR HORNE, Chairman.  
RICHARD THOMAS PUGH, } Directors.  
THOMAS REID, }  
HENRY HARBEN, Resident Director.  
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